

T H E  
**Statute = Law**  
 O F  
**I R E L A N D**  
 C O M M O N - P L A C E D.

O R, A

General TABLE to all the publick printed *English* and *Irish Acts of Parliament* now in Force and Use in IRELAND, on the First Day of *June*, 1734. from *Magna Charta*, to the Seventh Year of the Reign of His present Majesty KING GEORGE the Second, inclusive:

C O N T A I N I N G,

The full Purport and Effect of ALL the *English Statutes*, to the Tenth Year of the Reign of King *Henry* the Seventh, being by *Popning's Law*, in Force in IRELAND, and of all *English Statutes* from *Popning's Law*, to the End of the last Session of the Parliament of GREAT BRITAIN, which in the whole, or by any Clause or Section any way relate to, or bind IRELAND:

And also, the full Purport and Effect of all the *Irish Statutes*, to the End of the last Sessions of the *Irish* Parliament:

Alphabetically digested under proper Titles, and carefully collected out of, and compared with the several Volumes of all the *Statutes* at large, distinguishing the *English* from the *Irish Statutes* in every Title, with proper Marginal-Notes and References to all later *Statutes*, making any Alteration or Amendment in any former *Statutes*, with all the most material WORDS in all the said *Statutes* (for the more easy finding any Matter) Alphabetically placed, and referring to the several Titles.

Together with, a TABLE of the Year and Chapter of all the said *Statutes*, whereby those Repealed, Disused or Expired, may the easier be discovered, with the several Titles under which the same are placed in this Work.

By EDWARD LEE, Esq; Barrister at Law.

DUBLIN: Printed and Sold by George Grierson, Printer to the King's most Excellent Majesty, at the King's-Arms and Two Bibles in Essex-Street, 1734.





TO HIS EXCELLENCY,

*Thomas Lord Wyndham,*

Baron of *Finglas*, Lord High Chancellor  
of *IRELAND*.

MY LORD,



HE many Instances, in which this Kingdom has experienced the happy Effects of your Great Abilities, and Equal Integrity, must ever endear your Name to this Nation; and we must always place your Excellency's presiding in the highest Seat of Judicature, amongst the greatest Blessings which we have, or can enjoy. Besides our Share in this common Felicity, we who have the Honour to attend you at the Bar, have an additional Pleasure of being daily Witnesses, how much Patience and Affability contribute to render Justice amiable.

I am to beg your Forgiveness, for taking the Liberty of asking your Protection  
to



## DEDICATION.

to this Work, which claims no other Merit, than as it is an Endeavour to be of Service to the Publick. Could I but flatter my self that I had in any Measure succeeded in the Attempt, I am sure to please your Excellency; and whoever pleases you, need not doubt the publick Approbation.

This being the only Opportunity I can take of expressing, in the humblest Manner, that Respect, which is due to your Excellency. You will therefore, I hope, pardon this Presumption in,

*My LORD,*

*Your EXCELLENCY's*

*Most Dutiful,*

*Most Obedient, and*

*Most Humble Servant,*

**Edward Lee.**

# T H E P R E F A C E,

**W**HICH, for the better understanding the Method, Use, and Design of this Work, is recommended to be carefully perused.

**T**HE Author having undertaken this Work for his own private Use, and not with any Design of publishing the same ; and when it is considered with what Labour, and Difficulty the Substance and Purport of so many Volumes of the Statute-Law have been reduced to this methodical Form ; it is therefore hoped the Reader will then excuse any little Omissions that may occur to him therein.

**B**UT as it is now by the Encouragement it has met with, and at the instance of some Friends, intended to be published, it is therefore necessary in this Place to observe something of its Method, Design, and Pretence of being Useful.

**T**HE Continuance of all Temporary Statutes, and by what other Statutes the same are received or continued, are all taken notice of, in all Titles where there are any such, all which, for the speedy finding of all Temporary Statutes, are also referred to, in (*verbo Continuance.*)

**L**EST this Work should swell to a bulk larger than intended, there are several Words, such as the Names of Persons, Places, Offences, Merchandize, and things omitted in several Places, the room of which is supplied with an (*&c.*) but are still brought in, in the Order of the Alphabet, in their own proper



proper Places, with a Reference from thence to the Place or Title where first omitted. As for Example, the Word (*Shovel-Board*) referring to Title, GAMING, 1. and you find not the Word there, but is comprehended in the (*&c.*) as aforesaid, the Word (*Hay*) referring to *Distress*, 20. and so of many more.

THE several Commissioners in the River Act have a Letter annexed to their respective Names in the Order of the Alphabet, the reason of which see in (*River* 36.)

THE *English* Statutes have this Distinction (*Eng.*) annexed to them in the Margin, the *Irish* Statutes have none.

THE Penalties and Forfeitures on all Statutes, to whom the same go, whether to the King, Party, Prosecutor, Informer, Poor or other Uses, and how the same are Recoverable, by what Action, in what Court, and in what Time to be commenced; and also, where the General-Issue may be pleaded, and by whom, and by what Statutes any Damages or Costs are given, are distinctly and fully set forth under the proper Titles.

AND for the easier knowing what Fees are due and payable by any Statute, in Title, (FEES) is an *Alphabetical Table of FEES*, and of the Names of Persons, Officers, and Things, to whom, for what, and the Quantity of Fees Payable.

ALL Matters and Things, relating to the Office of Justices of Peace, Sheriffs, Grand-Juries, and all publick Officers, and to the Authority and Jurisdiction of the Court of Quarter-Sessions, by force of any Statute, and all Matters and Things relating to the Revenue and the Officers thereof, and to the Bishops and Clergy, Unions, Parish-Churches, Glebes, and Tythes, and such Laws as are by Statute appointed to be given in Charge at Assizes or Sessions, or to be read in Churches, are carefully and distinctly set forth under the respective Titles.

AND what is hoped will render this Work more particularly useful, and prevent many Mistakes is, for that where any the least

least Alteration is made in any former Statute, by any subsequent Statute, the same is taken Notice of, and referred to through the whole Work, as in Title (*Marriages*, 2.) there is a Reference to Title (*Bigamy*, 2.) See the Alteration there, the like in (*Distress* 18. and *Sheriffs* 57.) *Ships* 23. and *Ireland* 7. &c.

AND likewise as several useful and valuable Laws lie covered under several Chapters in the Statute-Books, which are independent of, and bear no sort of Relation to the Title of such Chapter, by means whereof the finding of such is render'd very difficult to the Practisers and others, for the discovery of which 'tis hoped the WORDS and TERMS Alphabetically placed in this Work, cannot fail of being a ready Guide.

*Note*, That in the References from the Words, it is the Number or Section of the Title that is meant by the Figure and not the Page of the Book.

SOME *English* Statutes made since *Poyning's Law*, tho' *Ireland*, not expressly mentioned, yet in regard they (to particular purposes) bind the People of *Ireland*, are here set down, some of which see in Title, *Egyptians*, *Petitions*, &c.

Several Statutes there are herein also inserted, that are now become obsolete and useless, and others that are long since repealed and altered; but to render this Work the more Compleat, the Author thought it not improper to mention some of such, the better to understand at one View, the necessities of the Times wherein the former were made, and the Reasons for repealing and altering the latter.

THE only Statutes omitted in this Work, being unnecessary to be brought into it, are the Acts of Settlement and Explanation. (*Vid. Settlement*) and the *English* Statutes against Mutiny and Desertion; and also, the *Irish* Statutes for the Additional Duties, which being continued but from one Session to another, and such frequent Alterations being made in them, are for that Reason omitted. (*Vid. Tea.*)



As none of those who have hitherto undertaken the Abridgment of the *Irish* Statutes, have taken the least Notice of all or any of the *English* Statutes before *Poyning's Law*, the Use therefore of the Table of the Year, and Chapter of the Statutes, inserted at the End of this Book is, by way of Proof of the Work, to shew that none of the said Statutes, or of any others that are now in Force and Use in *Ireland* are omitted, (except those last above-mentioned.) But the Reader is to observe, that such Statutes or Chapters as he finds omitted in the said Table, are either obsolete and disused, or are altered, repealed, or expired, the Discovery of which by the help of the said Table may be Satisfactory to him; and also, that as it frequently happens, that one Statute may be divided into several Branches, and placed under several Titles, that then the Reader may, by turning to the said Table, at once see all the different Heads under which any Statute is placed in this Work. 'Tis likewise to be observed, that not only the General Titles, Terms and Words are Alphabetically placed, but the References under the General Titles, are also Alphabetically placed, the advantage of which is, that any other Matter that has any relation to that general Title, as well as the Matter placed then under it, may the easier be found; as for *Example*, If you would know what is the Duty of a Justice of Peace in any Case relating to the *Linen-Manufacture*, in the matter abridged under the General Title (JUSTICE OF PEACE) you won't find it, but see in the reference under that Title in the Alphabetical Order, and there you find the Word *Linen-manufacture*, which guides you to the several Places where you find his Duty relating thereto, *et sic de similibus*.

THE

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N. B. There are upwards of five hundred more Subscribers, who came in late, after the above Names were printed off; and the Printer, being by Articles obliged to publish the Book, for the Use of the Judges, and Gentlemen of the Law, going this Summer Circuit; He therefore hopes the Gentlemen, whose Names are here omitted, won't take Offence at him, for not printing their Names.



# Statute-Law

O F

## IRELAND

### COMMON-PLACED.

#### Abatement.

- 1 **M**ISTAKES of Clerks of a Letter or Syllable in a Writ, shall not abate it. 14 E. 3. c. 6. Eng.
- 2 No Writ, Action, or Suit, shall abate on Account of the Death of the King, or of any Persons being created an Arch-bishop, Duke, Earl, Baron, Knight, or other honorary Preferment, pending the Suit, &c. 10 Car. 1. Sess. 2. c. 14. post. 7.
- 3 Preferment of Justices of Assize, Goal-delivery, Justice of Peace, or other Commissioners, to any such Dignity, shall not abate nor lessen their Authority. Vid. *Discontinuance*, 2.
- 4 Death of the Plaintiff or Defendant, after Interlocutory, and before final Judgment, shall not abate the Action. 9 Gul. 3. Sess. 1. c. 35.
- 5 The Executor, &c. of either Plaintiff or Defendant, may by *Scir' fac'* proceed to final Judgment.

A

Where



**Abatement.**

Where two or more are Plaintiffs or Defendants, the Death of one 6 or more of either of the Parties shall not abate the Writ, but the surviving Plaintiff may proceed to Judgment.

1 An. c. 8.  
Eng.

Commissions of Assize, Oyer and Terminer, Association, or Com- 7 mission of the Peace, or Writ, &c. to continue in Force for 6 Months after the Death of the King.

Vid. Appeal, 3. Assizes, 11. 14. Hue and Cry, 2. Justice of Peace, 10. Non-Tenure, 1. Partition, 3. Ships, 11.

**Abbies.** Vid. Contra formam Collationis, 1. First-Fruits, 10. Papist, 14. Vacation, &c. 1.

**Abettors.** Vid. Appeal, 4. Attainder, 12.

**Abercorn, Earl.** Vid. Gold, &c. 9. Poor-house, 1.

**Ability.**

Art. Cler. 2.  
13. 9. E. 2.  
Eng.

25 E. 3. Stat.  
2. c. 1. Eng.  
Post, 10.

**THE** Examination of a Person presented to a Benefice, be- 1 longs to the Ecclesiastical Judge.

By the Stat. *de natis ultra mare*, the King's Issue are of Ability to 2 inherit in England wheresoever born, and Children of Subjects born beyond Sea, may likewise inherit, if their Birth was within the King's Allegiance.

42 E. 3. c. 10.  
Eng.

Children born beyond Sea in the King's Dominions shall be 3 inheritable at Home.

33 H. 8. Sess.  
1. c. 8.

All religious Persons, professed of what Order soever, shall be 4 enabled to purchase and inherit, sue and be sued, in all Courts and Places after the suppressing or giving up their Houses to the King, but shall not as Heirs, take any Lands, &c. by any Title accruing before such Deraignment.

Priests, &c. entering into Religion, at 21 Years of Age, not 5 enabled to Marry, unless they have been forced into Religion.

7 An. c. 5. Eng.

Children of natural born Subjects born Abroad, to be deemed 6 natural Subjects (and extends to Ireland).

N. B. The rest of this Act, was for naturalizing foreign Protestants, but that is repealed by 10. An. c. 5. Eng.

8 An. c. 4.

Children born after the Death of the Father, shall take any E- 7 state in remainder, tho' no Trustees appointed to preserve the contingent Remainders (but this Act to have no retrospect to any Remainder already in Possession).

2 Geo. 1. c. 6.

Persons under 21 Years of Age, being seized, or possessed, in 8 Trust, or being Mortgagees, may be compelled by the Chancery or Exchequer, to convey or assign such Trust, Estates, or Mortgagees.

## Abilitp.

3

- 9 Thomas Wilkinson, and Thomas Bolton, are disabled of being Ju-3 Geo. 2. c. 16.  
stices of the Peace, in any Place in Ireland.
- 10 A further Explanation of the above Act, 7. An. c. 5. All Children 4 Geo. 2. c. 21.  
of Subjects, born out of the King's Ligeance, declared natural Eng.  
born Subjects of England, except those whose Father was attainted  
of Treason at the time of the Birth, or was in the Service of a  
foreign Prince (not in Amity) or such who on returning to Eng-  
land or Ireland, were liable to Treason, a Saving here for the Children  
of those who left Ireland, pursuant to the Articles of Limerick, and  
for those who returned and died Protestants after 1708. before the  
25th. of March, 1731. And for those who received one Year's Rent  
of any Lands, &c. in England or Ireland, in said Time, or did in  
said Time, settle or convey the same bona fide, and those deriving  
under such Conveyance continuing in Possession.
- 11 Ideots, Lunaticks, and non Compos Mentis, (or their Committees,) 5 Geo. 2. c. 8;  
being Trustees, or Mortgagees, may by order of Chancery on Peti-  
tion of the Cest-qi-trust, Mortgagor, &c. Convey, Assign, &c.  
such Trust, Estates, or Mortgages, to other Persons as such Order  
shall direct.
- Vid. Aliens, 9.

## Abjuration.

- 1 THE Oath of Abjuration appointed by this Act, to be taken in 1 Geo. 1. c. 13;  
Great-Britain, shall be taken in Ireland. Sect. 33. Eng.  
Vid. Oaths, 12.
- Abridgment. Vid. Assize, 15.
- Absence. Vid. Amerciament, 8. Glebes, 22. Marriages, 2. Na-  
vigation, 4.

## Absentees.

- 1 ABSENTEES out of the Kingdom by Command, shall 25 H. 6. c. 9;  
forfeit nothing.
- 2 The King in right of his Crown, to enjoy all the Honours, 28 H. 8. c. 3.  
Manors, &c. of the Duke of Norfolk, Lord Berkley, Earl of Shrews-  
bury, and other Absentees, here is a Saving for particular Persons  
and Places.
- Acceptance. Vid. Spiritual Persons, 5.
- Accessary. Vid. Appeals, 2. Clergy, 11. Coin, 14, 15, 16. Co-  
roners, 6. Custom, 69. Felony, 9, 10, 17, 23, 24, 26, 61, 66.  
Fore-stallers, 1. Hedge-breakers, 1. Murder, 2. Tories, 5. Trial,  
3, 4. Women, 6, 7.



- 52 H. 3. c. 23. **B**AILIFFS of Lords withdrawing themselves from accounting, 1  
*Eng. Marl.* liable to Attachment by the Sheriff.
- 13 E. 1. c. 11. Accountants, Servants, Bailiffs, found in Arrear by Auditors 2  
*Eng. West.* assigned by their Masters, to be committed to Goal till Satisfaction  
 be made, or if he fly to be Out-lawed, but may appeal to the Ba-  
 rons of the *Exchequer*, &c.
- 6 H. 4. c. 3. E. Commissioners to be appointed to enquire of the Accounts of 3  
 Sheriffs, Customers, and other the King's Officers in the Country,  
 after passed in the *Exchequer*, and if they are detected in any Fraud,  
 to incur treble Damages.
- 6 An. c. 10. Actions of Account may be maintained against the Executors, 4  
 &c. of a Guardian, Bailiff, or Receiver, and by one Joyn-tenant  
 and Tenant in common, his Executors, &c. against the other, and  
 his Executors, &c.
- Vid. *Administrator*, 5, 9. *Bail*, 2. *Ballast*, 4. *Costs*, 1. *Court*  
*of Wards*, 8, 9. *Exchequer*, 1, 2. *Grand Juries*, 3, 9. *High-*  
*ways*, 9, 20, 49. *House of Correction*, 2. *Militia*, 8. *Poor-house*,  
 9. *Prisoners*, 10. *Rivers*, 72. *Sheriff*, 42, 43. *Treasurer*, 3.  
*Watches*, 23. *Wooll*, 21.
- Accountements.** Vid. *Militia*, 17.

## Accusation.

- 9 H. 3. c. 2. **N**O Freeman shall be imprisoned or condemned on any Accusa- 1  
*Eng. Mag.* tion, without Trial by his Peers or the Law, neither Justice  
*Chart.* or Right be sold, denied or deferred.
- 5 E. 3. c. 9. Neither shall any be attached, or his Lands or Goods seized con- 2  
*Eng.* trary to Law.
- 25 E. 3. St. 5. By this Act, none is to be apprehended without Indictment, Pre- 3  
*c. 4. Eng.* sentment, or Process, at common Law.
- 28 E. 3. c. 3. By this Act, none shall be ousted of his Freehold but by Law. 4  
*Eng.*
- 37 E. 3. c. 18. Promoters of Suggestions to the King to find Sureties, before 5  
*Eng.* 38. E. 3. Process be granted to pursue them, or to incur the Penalty which  
*c. 9. Eng.* the accused should suffer, and not making them good to satisfy  
 Damages.
- 42 E. 3. c. 3. None to answer any Accusation to the King, without Present- 6  
*Eng.* ment or Matter of Record.
- 17 R. 2. c. 6. The Lord Chancellor may award Damages on an untrue Sugge- 7  
*Eng.* stion made against any Person in *Chancery*, for the Party accused.

None

## Accusation.

- 8 **None** to sue forth a *Subpoena*, until he find Security to satisfy the Defendants Damages, if he do not verifie his Bill. 15 H. 6. c. 4. Eng.
- 9 **Promoters** of Suggestion or Accusation to the Government, to find Sureties to satisfy Damages to the Party if adjudged false; if 18 H. 6. Sess. 2.  
Treason, Felony, or Trespas, to be remitted to B. R. Conscience to Chancery, if in a Franchise to the Seneschal, if Debt to C. B. and the Party to be bailed, and may sue for false Imprisonment.

Vid. *Seal*, 4.

**Achatours.** Vid. *Purveyors*.

**Acheson Sir Arthur.** Vid. *Poor-house*, 1. *Rivers*, 36, U.

**Acquittal.** Vid. *Education*, 7.

**Acquittance.** Vid. *Collector*, 2, 3, 4. *First-Fruits*, 4. *Forgery*, 8. *Glebes*, 20.

**Actions.** Vid. *Abatement*, 2, 4, 6. *Account*, 4. *Action on the Case*, 1, 2. *Actions Popular*, 1. *Age*, per tot. *Arrest*, 5. *Bail*, 9. *Bankers*, 2. *Declaration*, 1. *Fine*, 17. *Fire*, 1. *Limitation*, 8. *Officers*, 8, 9. *Tories*, 13. *Wooll*, 34.

**Action of Assault, &c.** Vid. *Limitation*, 8.

## Action on the Case.

- 1 **W**HEN any Person aggrieved hath no Remedy at common Law, he may have this Action. 13 E. 3. c. 49. Eng.

- 2 This Action is maintainable against him that sues in the Admirals Court. 2 H. 4. c. 11. Eng.

Vid. *Costs*, 1. *Error*, 10. *Limitation*, 8. *Process*, 1. *Small Debts*, 6.

**Action of Debt.** Vid. *Debt*, *Limitation*, 8. *Rent*, 1, 7.

**Action for Words.** Vid. *Limitation*, 8.

## Actions Popular.

- 1 **R**ECOVERY by Covin in this Action shall be no Barr in an Action *bona fide*, and the Defendant attainted of Collusion herein, to suffer 2 Years Imprisonment, but to be prosecuted within one Year, the Release of a common Person shall not discharge it. 4 H. 7. c. 20. Eng.

- 3 Where the Forfeiture goes to the King, to be prosecuted within 3 Years; and where to the Informer, or King and Informer, within one Year. 28 H. 8. c. 21.

This



## Actions Popular.

10 and 11.  
Car. 1. Sess. 4.  
c. 11.

This Action shall be prosecuted in the County where the Offence was committed, and the same Process as in Actions of Trespasse *vi & armis*, and Informations laid in *Dublin* shall be void (*Quer. If the Offence was committed in Dublin.*)

The Informer to make Oath before fying the Information, that the Offence was not committed in any other County than as laid in the Information, and on failure of Proof thereof, on the Tryal, the Defendant (who may plead the general Issue) to be acquitted.

This Act extends not to Maintenance, *Champerty*, King's Customs, &c.

Vid. *Demurrer*, 2. *Error*, 6. *Jeofails*, 4.

## Addition.

5 E. 2. c. 3.  
Eng.

**A**N Offender in a Writ of *Excommunicato Capiendo* to have a sufficient Addition.

1 H. 5. c. 5.  
Eng.

In original Writs where Exigent shall be awarded, and Appeals, &c. Addition of the Defendants Condition and Place of Abode shall be inserted, and Clerks omitting such Additions to be fined, Outlawries otherwise prosecuted to be void, surplusage of Addition shall not prejudice.

7 H. 6. c. 1.  
Eng.

Jurors to be returned with Additions of their Estate, Mistrye, Place of Abode and Sheriffs, &c. neglecting to be amerced.

18 H. 6. c. 12.  
Eng.

In Indictments the Town and County to be named where the Fact was done, but if the County be in the Margin 'tis sufficient.

Vid. *Jeofails*, 3. *Register*, 6, 17.

## Adjournment.

2 E. 3. c. 11.  
Eng.

**T**HE common Bench shall not be removed without warning by Adjournment.

Vid. *Error*, 3, 15. *Non-suit*, 1. *Parliament*, 35.

## Admeasurement of Dower.

13 E. 1. c. 7.  
Eng. West. 1.

**A** Writ of Admeasurement of Dower may be brought by a Guardian, but the Heir shall not be barred.

Admeasurement to be made if the Defendant does not appear, and if he does appear, the Plea to proceed.

Admeasurement

## Admeasurement of Pasture.

7

1 **U**PON a second Overcharge after admeasuring, the Remedy is *E. 1. c. 8.*  
shall be by Writ, and the Plaintiff to have Damages, and the *Eng. Wast. 2.*  
King the Value of the Beasts, the Sheriff is to enquire of the  
Value, &c.

**Administration.** Vid. *Administrator, Fees, 1. Wills.*  
—— cum test' annexo, Vid. *Administrator. 8.*

## Administrator.

1 **N**EXT Friend of the Intestate to be deputed Administrator by *31 E. 3. c. 11.*  
the Ordinary, who shall have the Benefit and Charge of an *Eng.*  
Executor.

2 Administration to be granted to the Widow, or next of Kin, or *28 H. 8. c. 18;*  
to both as the Ordinary shall think fit, giving Security for true  
Administration, and he may accept any one or more claiming the  
Administration as next of Kin.

3 Any Person obtaining any of the Goods, &c. of the Intestate *10 Car. 1. Sess.*  
or a Release by Fraud or without Consideration from an illegal Ad- *3. c. 10.*  
ministrator, shall be charged as Executor in his own Wrong, but  
may retain just Debts due to himself, and Payments justly made,  
*post. 13.*

4 All Ordinaries, &c. to take Bonds with 2 or more Securities, *7 Gul. 3. Sess. 1.*  
to make a perfect Inventory and truly to Administer, &c. *c. 6.*

5 Ordinaries may call Administrators to an Account, and after  
Debts, &c. to make Distribution of the Surplusage, one Third to  
the Widow, the Residue equally to the Children of the Intestate  
or their Representatives (save him already provided for and not Heir  
at Law) but the Heir at Law to have equal share, notwithstanding  
any Lands by Descent or otherwise.

6 If no Children nor Representatives of them, one Moiety to the  
Widow, the Residue to the Kindred of the Intestate in equal De-  
gree and their Representatives, but no Representatives admitted af-  
ter Brother and Sisters Children.

7 If no Wife, then the whole to the Children, and if no Children,  
then to the next of Kin as aforesaid, but no Distribution to be  
made till after one Year.

8 Sharers to give Bond to refund in case Debts appear afterwards,  
this Act not to extend to Administration, *cum test' annexo,* nor to the  
Estates of *feme covert*s dying Intestate but their Husbands may have  
Administration of their personal Estates.

No



No Administrator shall be cited into any Ecclesiastical Court, 9  
to render an Account otherwise than by Inventory, unless at the  
Instance of a Minor, next a Kin, or Creditor.

If Children die after the Death of the Father without Wife or 10  
Child, the Mother and surviving Children and their Representa-  
tives shall have equal Share.

*Administrator de bonis non*, may sue a *Scir' facias* on a Judgment 11  
obtained by the Executor dying before Execution sued out.

The Custom of *Ireland* concerning the Thirds of a personal E- 12  
state in Wills and Administrations is taken away (*Vide Papist*, 49.  
*a Saving for a Protestant Widow*.)

Executors and Administrators of Executors, *de sen. tort.* waiving 13  
the Goods of the Deceased liable to make good the same, *ante*, 3.

*See the Fees of an Administration in Title, Fees*, 1.

*Vid. Abatement*, 5. *Accounts*, 4. *Error*, 6. *Inventory*, 1. *promis-*  
*collateral*, 1. *Rent*, 1.

### Admiral and Admiralty.

13 R. 2. c. 5.  
Eng.

**A**DMIRALS not to meddle with any thing, but Matters 1  
done upon the Sea.

15 R. 2. c. 3.  
Eng.

Admirals Court has no Power in Bodies of Counties nor of 2  
Wrecks, but has Cognizance of the Death of a Man or Mahem,  
in the main Stream of great Rivers near the Sea.

2 H. 4. c. 11.  
Eng.

For Non Observance of the above Stat. 13. R. 2. double Da- 3  
mages are given.

2 H. 5. c. 6.  
Eng.

Conservators of the Truce have in some Cases like Power with 4  
the Admiral.

*Vid. Court of Admiralty.*

**Admission.** *Vid. Presentation.*

### Ad quod Damnum.

27 E. 1. Eng.  
*ord. de per quir.*

**T**O obtain Licence to make a Park to amortive Lands to pur- 1  
chase a Fair, Market, Warren, &c. the Writ of *ad quod Dam-*  
*num* shall first issue out of the Chancery.

*Vid. Mort Main*, 3.

**Adulterp.** *Vid. Dower*, 5.

**Adventurers.** *Vid. Settlement*, 4.

## Advowson.

- 1 **U**SURPATION of Churches during particular Estates, 13 E. 1. c. 5.  
 Coverture and Vacancy, Wardship, &c. shall not bar the Eng. West. 2.  
 Heir at full Age, Reversioner, Fem-discover, Successor, &c. from  
 having the Writ of *Quar' Imped'*, or *Darrein Presentment*.
  - 2 The same Form of Pleading to be used in *Darrein Presentment*,  
 and *Quar' Imped'*, and the Plea not to stay for Plenarty, so as the  
 Writ be purchased within six Months.
  - 3 A Coparcenar disturbed (after Partition made by Record to pre-  
 sent by Turns) shall not be put to a *Quar' Impedit*, but may have  
 a *Scire Facias*, and if one present twice together, the other is not  
 barred.
  - 4 If six Months pass pending a *Quar' Imped'*, and the Bishop pre-  
 sent by Lapse, the Patron shall recover Damages to two Years  
 Value of the Church against the Disturber, or to suffer two Years  
 Imprisonment; and when a Parson is disturbed to demand Tythes in  
 the next Parish, the Patron shall have a Writ to demand the Ad-  
 vovson of those Tythes.
  - 5 None shall purchase an Advowson when 'tis in Suit. 13 E. 1. c. 49.  
 Eng.
  - 6 Lapse of six Months not to prejudice the King's Prerogative. 17 E. 2. c. 8.  
 Eng. Prerogat.  
 Reg.
  - 7 Advowson passeth not from the King without special Words. 17 E. 2. c. 15.  
 Eng.
  - 8 When the King collates in another's Right, his Title to be well  
 examined, and the Patron to have Writs. 25 E. 3. Stat. 3.  
 c. 3. Eng.
  - 9 The Ordinary or Incumbent may counter-plead the King's Title 25 E. 3. c. 7.  
 where his Right is not tried (on his taking a Suit against the Pa-  
 tron) when the Ordinary presents by Lapse. Eng.
  - 10 The Trustees to convey Advovsons, Rectories impropriat, &c. 11 & 12 Gul. 3.  
 forfeited in Ireland, to such Persons as the Bishop of the Diocese  
 shall appoint, in Trust, to apply the Profits for 20 Years, from 1699,  
 in repairing or rebuilding Parish Churches, and after in perpetual  
 Augmentation of small Livings.
- Vid. *Champerty*, 2. *Days in Bank*, 8, 12. *Papists*, 37. *Spiritual Per-  
 sons*, 24. *View*, 2.

## Affidavit.

- 1 **T**HE Justices of both Benches, the Chancellor, Treasurer and 4 Gul. & M.  
 Barons of the *Exchequer*, or any two of them in the respective  
 Courts, whereof the Chiefs of them respectively, the Chancellor  
 or Treasurer in the *Exchequer* to be of the *Quorum*, may by Com-  
 mission empower Persons, in the several Counties, to take Affida-  
 vits, relating to any Thing depending in the said Courts.

B

Judges



Judges of Assize, in their Circuits, may take Affidavits, as Commissioners may do.

Perjury in such Affidavits punishable as if sworn in open Court, the Day and Place when and where taken to be mentioned in the Caption, and to be filed before read in Court.

Vid. *Appearance*, 1. *Arbitration*, 1. *Attorneys*, 12. *Bail*, 9, 12. *Certiorari*, 1. *Customs*, 151. *Fees*, 2, 34. *Grand-juries*, 6. *High-ways*, 31. *Proclamation*, 4. *Protection*, 2. *Register*, 11, 15. *Rent*, 5, 29. *Solicitors*, 10.

**Affinity.** Vid. *Challenge*, 4.

**Affirmation.** Vid. *Oaths*, 11. *Quakers*, 5.

**Affray.** Vid. *Armour*, 3.

**Africa.** Vid. *Customs*, 122. *Plantations*, *Ships*, 5, 7, 23.

### Age.

3 E. 1. c. 46. **NON-AGE** of the Heir of a Disseisor or Disseisee (where a Writ of novel Disseisin is purchased, and the Disseisor dying before the Assize passed, the Plaintiff brings a Writ of Entry against the Heir) shall not prejudice in Assize.

6 E. 1. c. 2. If an Infant be driven to his Writ for Recovery of his Inheritance, the Enquest to pass notwithstanding his Non-age.

13 E. 1. c. 40. The Suit of a Woman or her Heir shall not be delay'd by the Minority of the Heir.

1 R. 3. c. 7. Eng. All Persons (except Infants, Feme-coverts, &c.) by Fine proclaimed and certified, according to Law, shall be excluded if they pursue not their Right by Action or Suit in 5 Years.

Vid. *Ability*, 5, 8. *Education*, 4. *Fine*, 1. *Infants*, 1. *Mortdancestor*, 2.

**Aghacollum.** Vid. *Parish Churches*, 14.

**Aghada.** Ibid. 21.

**Aghamore.** Ibid. 27.

**Agliffy.** Ibid. 6.

**Agreement.** Vid. *Arbitration*, 1. *Artificers*, 1, 2. *Navigation*, 1. *Parish Churches*, 37. *Partition*, 20. *Promis-collateral*, 1.

**Aid.** Vid. *Partition*, 8.

### Aid of the King.

4 E. 1. c. 10. 2. **W**HERE a Charter or Feofment, made by the King, binds others to Warranty, the Heir shall have Aid, but where the King confirms only another Man's Act, or that no Clause of Warranty is in the Charter, the Tenant shall have no Aid.

4 E. 1. c. 3. Eng. In Dower the King's Grantee of a Ward shall have no Aid.

1 H. 4. c. 8. Eng. In Assize brought against the King's Patentee of Lands, where the King's Title is not found by Enquest, the Patentee shall have no Aid.

**Aid**

**Aid to the King.** Vid. *Customs*, 147.  
**Alderman.** Vid. *Corporation*, 6, 7, 9.  
**Aldrich William.** Vid. *Lights*, 1.  
**Ale.** Vid. *Ale-house*, 1. *Customs*, 15, 37, 38, 40. *Measures*, 1. *Papists*, 39. *Weights*, 1, 6.

### **Ale-houses.**

- 1 **NONE** to keep an Ale-house, or sell Ale or Beer, without being licensed in the Sessions, except at Assizes, Sessions or Fairs, on Pain of 5*l.* and shall pay 20*s.* per Annum, for such Licence. (Vid. *Customs*, 156.)
- 2 The Governor and Council to appoint Commissioners out of the Justices of Peace and others, in each County, to grant Licenses, and but for one Year only from *Easter*. (Vid. *Wine*, 9.)
- 3 The Commissioners, or any two of them (*quorum unus*) to meet yearly, in a Month after *Easter*, and to license none but Persons of good Behaviour, dwelling in convenient Places, and able to entertain Travellers, and to keep a Sign.
- 4 The Persons licensed to enter into a Recognizance of 10*l.* in the Sessions, to observe the Assize of Bread and Ale, to keep two Beds, and not suffer Gaming, &c.
- 5 The Collectors to attend the Commissioners in the Sessions, and to enter the Parties Names, and Recognizance, and Money received, in a Book to be returned upon Oath, and signed by two Commissioners half-yearly into the *Exchequer*, concealing any of said Entries to forfeit 10*l.*
- 6 Offences and Forfeitures, by this Act, to be tried in the *Exchequer*, Assizes or Sessions, Fines and Forfeitures to be divided between the King and the Informer; this Branch not to be farmed or charged with any Grant, Pension, &c.

Vid. *Fees*, 14.

**Ale-house keepers.** Vid. *Customs*, 38. See the Clause in the 4 Geo. 1. c. 2. relating to the mixing of small and strong Beer, and continued by 5 Geo. 2. c. 1. for 2 Years.

**Alias.** Vid. *Summons*, 2.

### **Alienation.**

**NONE** may alien Lands held of the King by Knight's Service, &c. so as that the Residue will be Insufficient for the Service (Vid. *Court of Wards*) this taken away.

Vid. *Contra Formam Collationis*, 1. *Entry*, 2. *Fraudulent Conveyances*, 10. *Papists*, 32.



- 6 R. 2. c. 10. Eng. **A** LIENS, being in Amity with the King, may bring in Victuals, and sell them in Grose or retail. 1
- 7 R. 2. c. 12. Eng. No Alien shall purchase a Benefice in the Church, nor occupy the same without the King's License, on Pain of a *Premunire*. 2
- (*Quer.* Now as to *Ireland*, in Regard of alien Protestants) See a Saving in the above Act for the then Cardinal of *Naples*.
- 2 H. 6. c. 6. Eng. Aliens shall find Surety in the *Chancery* not to carry Gold or Silver out of the Realm. 3
- 8 H. 6. c. 29. Eng. The Enquest shall be *de medietate Linguae*, where an Alien is Party on any Trial. Vid. *Jurors*, 7. 4
- 14 H. 6. c. 6. Eng. Persons disturbing an Alien in selling his Victuals to. forfeit 10*l.* 5
- 31 H. 6. c. 4. Eng. Strangers in League with the King, or having his safe Conduct attached in their Persons or Shipping, by the King's Subjects to be enlarged by the Lord Chancellor, and Restitution to be made. 6
- 1 R. 3. c. 9. Eng. An alien Artificer not to exercise any handicraft Trade, nor make any Cloath, or sell Wares by retail, on pain of forfeiting his Goods, nor shall he take any Apprentice or Servant (except his Children) but a Subject born, on pain of 20*l.* 7
- 3 H. 7. c. 8. Eng. Aliens shall employ their Money here received, upon the Commodities of this Realm. 8
- 1 Geo. 1. c. 29. Eng. The 213 Families of *Palatines* in *Ireland* (taking the Oaths) to be deemed natural-born Subjects, and not disabled of being of the Privy-Council, &c. 9
- Vid. *Cloath*, 2. *Customs*, 7, 103. *Drapery*, 7. *Ediston*, 1. *Merchants*, 2, 4. *Plantation*, 2, &c. *Provisors*, 3. *Sheep*, 7. *Ships*, 10, 13. *Soldiers*, 2, 3. *Wine*, 2.
- Alimbeck.** Vid. *Customs*, 40.
- Alien Protestants.** Vid. *Plantation*, 2, &c.
- Allap.** Vid. *Coin*, 4, 10. *Gold*, 1, 6.
- Allegiance.** Vid. *Ability*, 2, 3, 6, 10. *Letters Patents*, 5. *Oaths*, 5.
- Allen John.** Vid. *Poor-house*, 1.
- Allen Lord.** Vid. *Poor-house*, 1. *Rivers*, 36, L.
- Allotment.** Vid. *Ministers*, 1, 2.
- Allowance.** Vid. *Butter*, 14. *Customs*, 35, 37, 131. *Hides*, 2, 4. *Parliament*, 6. *Prisoners Allowance*, *Tobacco*, 7.
- Allocation.** Vid. *Quare Impedit*, 16. *Spiritual Persons*, 14, 33.

## Alms-house.

- 12 Geo. 1. c. 10. **I**F a Bishop or Dean shall erect an Alms-house, they may convey to the Church-Wardens in Fee by Deed, to be registered in the Diocese, one Acre of the Mensal or other Lands, to the Use of such House. 1
- Vid. *Contra Formam Collationis*, 1.

Alnager.

**Alnager.** Vid. *Gloath*, 3. *Drapery*, 4, 19, 20, 24, 26, 27, 28, 31,

32. *Fees*, 3.

**Amané.** Vid. *King*, 4.

### Amendment.

1 **A** Process, defective by Misprision of a Clerk, shall be amended. 14 E. 3. c. 6. Eng.

2 The Justices may amend such Process before or after Judgment; this made perpetual by 4 H. 6. c. 3. Eng.

3 No Record to be reversed for Error assigned by Reason of crazing Interlineation, &c. the Judges may reform all Defects in any Record, Process, Writ or Return, (except Appeals, Indictments for Treason or Felony, and Outlawries thereupon) Variance between the Record and Certificate shall be amended, and also a Record, &c. exemplified or inrolled, for a Variance from the Exemplification, &c. Eng.

4 The Justices may amend the Misprision and Defaults of the Clerks of the Court, Sheriffs, and all other Officers in any Process, &c. having one Syllable or Letter, &c. too much or too little (Felonies and Treason excepted.) 8 H. 6. c. 15. Eng.

Vid. *Demurrer*, 2. *Error*, 11. *Jeofails*, 5.

### Amerciament.

1 **A** Freeman not to be amerced for a small Fault, and in all Cases, proportionable to the Offence, saving to him his contem- ment, Peers to be amerced by Peers. 9 H. 3. c. 14. Eng. Mag. Chart.

2 He that deforceth a Widow of Dower, so that she can't have it without Suit, shall be amerced. 20 H. 3. c. 1. Eng.

3 Bakers and Brewers not observing the Assize of Bread and Ale, and Persons using false Measures, &c. shall be amerced. 51 H. 3. Eng. Stat. Pillory.

4 The Lord shall be amerced for taking excessive Distress of his Tenant, or for driving a Distress out of the County. 52 H. 3. c. 4. Eng.

5 No Place or Person shall be amerced without Cause, and according to the Trespass, &c. Freeman, &c. by their Peers. 3 E. 1. c. 6. Eng. West. 1.

6 Persons attached in a Franchise or Liberty, upon any Contract, Covenant, or Trespass, done out of the Jurisdiction, shall have double Damages, and the Party arresting them shall be amerced. 3 E. 1. c. 34. Eng.

7 The Chief Justices, and none other, have Power to amerce for Default of common Summons. 52 H. 3. Eng. Marl. b.

8 An Heir, that doth endeavour unlawfully to avoid the Widow's Dower, shall be amerced. 13 E. 1. c. 4. Eng.

9 The Defendant, who by Collusion, prayeth to be received, to defend a Suit to delay the Demandant, shall be amerced. 20 E. 1. Eng. de defen. Ju-  
A ris.



**Amerciament.**

5 R. 2. c. 4.  
Eng.

A Member absenting himself from Parliament, being summoned; and also, a Sheriff neglecting the Return of Writs, or leaving out any Borough, &c. shall be amerced.

Vid. *Affize*, 14. *Coroner*, 6. *Escape*, 2. *Sheriff*, 47.

**America.**

15 car. 2. c. 7.  
Eng.

NO Goods of the Growth of *Europe* to be imported into the Plantations here, but from *Britain*, except Horses, Servants and Provisions from *Ireland*, on pain of Forfeiture.

Vid. *Customs*, 101, 102, 122. *Ireland*, 7, 8. *Linnen-Manufacture*, 28, 31. *Ships*, 5, 7, 19, 23. *Wool*, 30. *Hops*, 5.

**Ammunition.** Vid. *Customs*, 17. *Treason*, 4.

**Angling.** Vid. *Fish*, 11.

**Anna-lispy.** Vid. *Ballast*, 1, 5.

**Annates.** Vid. *First-fruits*, 1.

**Anniversary Thanksgiving.**

3 Jas. 1. c. 1.  
Eng.

THE fifth Day of *November*, to be annually celebrated in *England*, and the Dominions of the same (*Qu. How is this in force in Ireland?*)

12 car. 2. c.  
30 Eng.

The 30th Day of *January* to be annually celebrated in *England* and *Ireland*.

14 & 15 car.  
2. Sess. 4. c. 1.

The 29th Day of *May* to be annually celebrated.

Ibid. c. 23.

The 23d Day of *October* to be annually celebrated.

The 1st Day of *August* to be annually celebrated, (*Quer. the Stat.*)

All Persons on the above several Days, to forbear bodily Labour and the Exercise of their Trades, and repair to Church.

**Annuity.** Vid. *Papists*, 43. *Process*, 1.

**Apparel.**

5 E. 4. c. 3.

**Irishmen** in certain Counties to go like *Englishmen* in Apparel, and to take *English* Surnames from Towns or Callings.

28 H. 8. c. 15.

By this Act none was to shave above the Ears, and all the *Irish* way of Habit or Apparel is prohibited on pain of forfeiting the same; and persons offending, to forfeit certain Sums proportionable to their degree.

**Appeal.**

9 H. 3. c. 34.  
Eng. mag. ch.

NO Man shall be imprisoned upon the Appeal of a Woman, for the Death of any but her Husband, and the Wife only to have the Appeal for the Husband.

3 E. 1. c. 14.  
Eng. West. 1.

Accessaries in Appeal not to be outlawed before the Principal is attainted.

## Appeal.

15

- 3 If the Declaration in Appeal sets forth the Fact, Year, Day, <sup>6 E. 1. c. 9.</sup>  
Hour, King's Reign, Town and Weapon with which the Person <sup>Eng. Gloc.</sup>  
was slain, the Appeal shall not abate for want of fresh Suit, if sued  
in a Year and Day.
- 4 False Appeals and Abettors therein liable to Fines, Damages, and <sup>13 E. 1. c. 12.</sup>  
a Year's Imprisonment, at the Discretion of the Justices, and no <sup>Eng. West. 2.</sup>  
Essoin in Appeal of Death allowed.
- 5 Where any are appealed by Approvers, the Sheriff shall by Pro- <sup>28 E. 1. Eng.</sup>  
cesses to him directed, bring such Appallees, to the same Goal where <sup>Stat. of Ap-</sup>  
the Approvers lye, to answer before the same Justices that deliver- <sup>peals.</sup>  
ed the Approver, and the Sheriff, to return an Enquest to try them.
- 6 In Appeal of Rape, the Husband, Father, or next of Blood, <sup>6 R. 2. c. 6.</sup>  
shall have the Suit, and no Wager of Battle allowed. <sup>Eng.</sup>
- 7 Appeals of things done within the Realm, to be tryed by the <sup>1 H. 4. c. 14.</sup>  
Laws thereof, and those out of the Realm, by the Constable and <sup>Eng.</sup>  
Marshal.
- 8 Appeal of Treason which touch not the King's Person, to be <sup>32 H. 6. c. 3.</sup>  
tryed in the *King's-Bench*, and the Appellant, if given against him,  
to pay taxed Costs, and 20 l. and 5 l. Fine to the King.
- 9 The Wife or Heir, to commence their Appeal in one Year be- <sup>3 H. 7. c. 1.</sup>  
fore the Sheriff, Coroner, or Justices of *B. R.* <sup>Eng.</sup>
- 10 None to appeal to *Rome*, on pain of a *Premunire*, on them, their <sup>28 H. 8. c. 6.</sup>  
Aiders, Councillors and Abettors, Appeals formerly to *Rome* to be  
made to the King or Governors of *Ireland*, and Delegates to be ap-  
pointed, notwithstanding Inhibitions from *Rome*. — *N. B. This*  
*was repealed by 3 & 4. p. & m. but is revived by 2 El. c. 1. and the*  
*said. Repealing Act repealed.*
- 11 Persons may bring Appeal of Murder (*non obstante*) the *Stat.* <sup>10. 9 An. c. 4.</sup>  
<sup>H. 7. c. 21.</sup> which makes Murder High Treason.

Vid. *Accounts*, 2. *Addition*, 2. *Apprentice*, 2. *Artificers*, 11. *Bail*, 4.  
*Bread*, 5. *Bricks*, 4. *Butter*, 12. *Civil-bills*, 9. *Customs*, 63, 114,  
118, 126, 134, 141. *Dublin*, 18. *Education*, 3. *Essoin*, 4. *In-*  
*dictments*, 5. *Linen-Manufacture*, 17. *Measures*, 17. *Murder*, 2.  
*Papists*, 15. *Pardon*, 1, 3. *Parish-Churches*, 55, 63. *Recognizance*,  
11. *Rivers*, 61. *Tories*, 17. *Tythes*, 6, 14. *Watches*, 31.

**Appeals of Felony or Murder.** Vid. *Demurrer*, 2. *Error*, 12.  
*Pardon*, 1, 3.

## Appearance.

- 1 **F**lazers, &c. not to make Entry, that the Plaintiff, *obtulit se in* <sup>10 H. 6. c. 4.</sup>  
*propria persona sua*, unless the Plaintiff actually appear in Person, <sup>Eng.</sup>  
and Affidavit to be made of the Identity of the Person.
- 2 By this Act, the above is made perpetual, and Officers to ob- <sup>18 H. 6. c. 9.</sup>  
serve it on pain of 40 s. Attorneys not having Warrants entered of <sup>Eng.</sup>  
Record,



**Appearance.**

Record, where Process of Exigent is awardable, liable to the same Penalty.

Vid. *Admeasurement of Dower*, 2. *Arrest*, 5, 6. *Bail*, 3. *Bankers*, 2. *Chancery*, 6. *Civil-bills*, 7. *Coroner*, 7. *Mortgages*, 6. *Recognition to the King*, 1. *Sheriff*, 14.

**Applotment.** Vid. *Dublin*, 20, 33. *Militia*, 2. *Tories*, 17, 24.

**Appraisement.** Vid. *Distress*, 15, 22. *small Debts*, 6. *Tythes*, 20.

**Apprentice.**

2 Geo. 1. c. 17.

**A** Ny two Justices of the Peace may determine Complaints of Apprentices, remove them, and turn them over to another Master or Mistress.

The Master aggrieved, may appeal to the next General Quarter-Sessions.

Persons sued for executing this Act, may plead the General Issue, and shall have treble Costs.

Vid. *Aliens*, 7. *Corporation*, 6. *Game*, 17. *Linen-Manufacture*, 63. *Papists*, 5, 65. *Poor*, 1. *Servants*, 2. *Solicitors*, 7, 10, 20, 25.

**Approbation.** Vid. *Coaches*, 14. *Tories*, 24. *Watches*, 15, 31.

**Appropriations.**

15 R. 2. c. 6. Eng.

**I**N every Licence in *Chancery*, for the Appropriation of any Church, a Clause to be inserted, that convenient Provision shall be made by the Diocessan for a Vicar and the Poor.

10 & 11. car. 1. Sess. 4. c. 2.

Persons seized of Appropriations, Glebes, or Tythes, may without Licence of *Mortmain*, restore the same to any Parson or Vicar in the same Parish, and their Successors; or for want of such, to the Archbishop or Bishop, in trust, till a Rector, &c. shall be appointed.

Where no such Parson or Vicar are in such Parishes, the Bishop to ordain and constitute one, when such Donation shall amount to the third part Value of the whole Impropriation.

If the Donation amounts to four times more in yearly Value than such Minister had there before, such Donor to have the Patronage; if but 3 times, to have but 3 Presentations; the same Rule, if but twice more, and the former Patron one Presentation; and if equal, to present by turns, the new Patron to present to the first Avoidance, and the same Rules, if the antient Endowments exceed the new ones, in the same measure, the Valuation to be made by Commissioners from the *Exchequer*, the Minister to be subject to the Repairs of the *Chancel*.

**Approbement.**

## Approbement.

17

- 1 **L**ords of Wastes or Common, may approve part thereof against <sup>20 H. 3. c. 4.</sup> their Tenants, so that they leave sufficient Common besides. <sup>Eng. mert.</sup>
- 2 Neighbours as well as Tenants, shall be bound by such Approvement, and the Bounds thereof, when thrown down, to be <sup>13 E. 1. c. 46.</sup> made good, and the adjoining Town to be distrained to make good <sup>Eng. West. 2.</sup> the same.

## Approver.

- 1 **I**T is Felony in a Goaler to cause a Prisoner to become an Approver by Durefs. <sup>14 E. 3. c. 10.</sup>  
<sup>Eng.</sup>  
Vid. *Appeal*, 5.

## Aquavite.

- 1 **N**ONE but Lords, Gentlemen of 10 l. *per Annum*, Freemen 3 s. 4 p. & m. of Corporations and Boroughs, shall make Aquavita with- <sup>cap. 7.</sup> out Licence, on pain of Imprisonment, and 4 l. Forfeiture, to be recovered in *Banco Regis*, or *C. B.* to the King and Informer.  
Vid. *Customs*, 16, 37, 38, 40, 157. *Fees*, 14. *Ships*, 12. *Wine*, 8.  
**Aran, Carl.** Vid. *Ormond*, 1.

## Arbitration.

- 1 **M**erchants and others, may agree, that their Submission to the Award of any Person or Persons, in things for which no <sup>10 Gul. 3. Sess.</sup> Remedy but a \* personal Action or Suit in *Equity* lies, may be <sup>2. cap. 14.</sup> made a Rule of any Court of Record; and on filing and reading <sup>\* Re. Actions</sup> an Affidavit of such Agreement, a Rule to be thereupon made, <sup>excluded.</sup> that the Parties shall be finally concluded by the Arbitration or Umpirage of such Persons.

The Process of the Court to issue, to enforce such Rule; and Persons refusing Obedience thereto, to be subject to all the Penalties of Contempt, as if made in a Cause depending in such Court.

Arbitration or Umpirage, procured by Corruption or undue Means, to be void and set aside, so that Complaint be made before the last Day of the next Term after publishing the same.

**Arboe.** Vid. *Parish-Churches*, 14.

**Archbishops.** Vid. *Abatement*, 2. *Alms-house*, 1. *Bishop*, 6. *Glebes*, 2, 4, &c. *Papists*, 11.

**Archbishop of Ardmagh.** Vid. *Leases*, 10. *Library*, 1. *Poor-house*, 1. *Rivers*, 36. *Schools*, 18.

**Archbishop of Canterbury.** Vid. *Clerk*, 2. *Excommunication*, 1. *Rome*, 2.

**Archbishop of Cassel.** Vid. *Rivers*, 36.



## Archbishop of Dublin.

5 An. c. 26.  
Eng.

**T**HE Town of Seatown is vested in William of Dublin, and his Successors annex'd to the See for ever.

Earl of Ranelagh, to make out Debentures of 2917l. 5s. 1d. to him, at 5l. per cent, from September 1705, for reimbursing Purchase-money.

All Leases made by the Bishop, to be at the full improved Rent, without Fine, and to Protestants only; his Successors may avoid the same, if made otherwise.

Vid. Glebes, 8. Poor-house, 1. Religious Houses, 5. Rivers, 36.

**Archbishop of Tuam.** Vid. Leases, 13. Rivers, 36.

**Archbishop of York.** Vid. Rome, 9.

**Archbishopricks.** Vid. Glebes, 14.

**Archdeacons.** Vid. Dignitaries.

**Archdeaconries.** Vid. Limitation, 9.

**Arklow.** Vid. Parish-Churches, 9.

**Area.** Vid. Tryal, 6.

**Arglas.** Vid. King, 4.

## Armour, Arms.

7 E. 1. Eng.

**I**T belongs to the King to prohibit Force of Arms, and other Breaches of the Peace.

1 E. 3. Stat. 2.

6. 5. Eng.

None to be charged to arm themselves, but as in former times, nor go out of their Counties, but when there are dangerous Enemies.

2 E. 3. c. 3.  
Eng.

No Person to appear with Force and Arms, before the King's Justices, or ride armed in Affrays, on pain of forfeiting the Armour, and Imprisonment.

7 R. 2. c. 13.  
Eng.

None to ride in Harness, contrary to the 2 E. 3. c. 3. on the like Penalty.

10 R. 2. c. 1.  
Eng.

By this Act a Fine may be imposed for the above Offences.

Vid. Constable and Marshal, 2. Customs, 17.

**Arms.** Vid. Armour, Fire-arms, Militia, 17. Oaths, 18. Papists, 1, 5. Uniformity, 15.

**Army.** Vid. Game, 12. Papists, 73. Soldiers, 2.

**Arraignment.** Vid. Clerk, 1. Murder, 2.

**Arroy.** Vid. Militia, 1.

**Arrearages.** Vid. Account, 2. Cessavit, 1. Distress, 15. Hearth-money, 4. Rent, 19, 27.

## Arrest.

3 E. 1. c. 34.  
Eng. West. 1.

**N**ONE, except the King's Minister, to arrest any Person passing through a Liberty, not holding thereof, for any Contracts, Covenants or Trespas, done out of the Liberty.

Vid. Amerciament, 6.

All

## Arrest.

19

- 2 All Men shall be ready to arrest Felons. 3 E. 1. c. 2.  
Eng.
  - 3 Clerks officiating Divine Service not to be arrested, on pain of Imprisonment, unless they conceal themselves by Collusion. 50 E. }  
3. c. 5. } Eng.  
1 R. 2. }
  - 4 All Men shall be ready to arrest Night-walkers. 6, 15. }  
13 E. 1. Eng.  
Stat. Winchest.
  - 5 None to be arrested on any Process (except *capias Utlagatum*, Attachment for Rescue, Contempt, and Privilege) not expressing the Cause of Action, and where the Defendant isailable by 23 H. 6. c. 10. Eng. None shall be compell'd to give Bond for Appearance, exceeding 40 l. and all Sheriffs, &c. in such case shall bail such Defendants. 7 Gul. 3. Sess.  
1. c. 25.
  - 6 Upon Attorney's Appearance for such Person so arrested, such Bond shall be discharged, and no Amerciament to be against the Sheriff.
  - 7 If the Plaintiff does not declare against such Person so arrested before the Term next after such Appearance, a Nonsuit and Judgment for Costs to be entered against him.  
Vid. *Accusation*, 3. *Bankers*, 2. *Captains*, 2. *Debt*, 1. *Fees*, 5. *Parliament*, 41. *Sheriffs*, 14, 32. *Watches*, 1.
- Arrow.** Vid. *Rivers*, 24.

## Arrow-heads.

- ARROW-HEADS** shall be marked and well boiled, brazed and hardened, on pain of Forfeiture of them, and Fine to the King, Justices of Peace to punish the Makers of defective Arrows. 7 H. 4. c. 7.  
Eng.
- Articles of Limerick.** Vid. *Ability*, 10. *Limerick*, 1. &c. *Solicitors*, 3. 21.
- Articles of Limerick or Galway.** Vid. *Rebellion and Rebels*, 5.
- Articles of Religion.** Vid. *Uniformity*, 20, 26.

## Artificers.

- ALL** Contracts, Agreements, Rules, &c. made in Clubs, &c. by Tradesmen, or Persons using any Arts or Mysteries of several Trades of the Kingdom, for regulating the same, or settling Prices of Goods, or Wages, declared illegal and void. 3 Geo. 2. c. 14.
- And Persons making, signing, or executing such Rules, &c. to be sent to the House of Correction, by two Justices of Peace, on Conviction, by one Witness, for a time not exceeding three Months, or to Goal without Bail, Prosecution to be in three Months.



*Vid. Post. 4.* Any Artificer, Workman, Servant or Labourer, employed in any Trade, &c. departing before his Time, or quitting his Work for three Days, or returning his Work before 'tis finished, without Consent of the Party employing him, or without reasonable Cause, allowed by two Justices of Peace, and being before them convicted, shall forfeit 5*l.* to the Informer and Poor, to be levied by Distress, by Warrant of two Justices.

But on Non-payment of Wages, or not finding sufficient Materials by the Employer, the Party shall not be liable to the above Penalty.

Work left unfinished, as above, may be compleated by any Person, tho' not free of any Corporation.

Disputes arising about the Quantity or Quality of Materials, to be decided by the Master and Wardens, &c. of the same Trade, by order of Justices of Peace.

The Employer may refuse paying for Materials found by any Workman, before such Decision is made, and may plead the General Issue therein, &c.

If any Master, Workman, &c. employ, &c. any Workman, &c. employed in the Service of another, without his Leave, he shall forfeit 5*l.* to the Party and Poor, to be levied by Distress and Warrant of one or more Justices of Peace, or on Default of Payment to be committed to Goal for three Months.

Tradesmen, &c. spoiling any Work, &c. given them, to pay double the Value thereof, to be levied as *Ante. 8.*

Said Tradesmen shall be fully paid, for their Work, &c. in Specie, and not in Goods, Debt, &c. unless they consent thereto. (*Vid. Drapery, 9.*)

The like Remedy for recovering their Wages, (not exceeding 3*l.*) is hereby given as in (*Tit. Servants, 4.*) with Liberty of Appeal to the Sessions, from any Order made by two Justices, giving Notice of such Appeal.

Master, Workmen, or Undertakers, charging the Employer with more Pay for the Journeymen, than they receive from the Master, to forfeit 10*l.* by *Civil Bill.*

5 G. 2. c. 4. If any Journeyman, or Undertaker, shall strike or assault another Journeyman for working for his Employer, or being aiding, &c. thereto, or shall assault, &c. the Master, &c. for employing any Persons, he shall forfeit to the Party and Poor, 40*s.* before two Justices of Peace, on Complaint, within three months, or shall suffer three Months Imprisonment, on default of Payment.

*Vid. Aliens, 7. Plantation, 2. Servants, 3, 18.*

**Artillery.** *Vid. Treason, 4.*

**Asia.** *Vid. Customs, 122. Plantations, Ships, 5, 7, 23.*

## Assault.

21

- 1 IF any assault the Servant of a Member of Parliament, Proclamation shall be made that he surrender himself in *B. R.* in 3 Months, and on Default to pay double Damages, and be fined to the King. *H. 4. c. 6. Eng.*
- 2 The like Law is made with respect to any Assault, on any Member of either Houses of Parliament, or of any other Council assembled by the King's Commands. *M. 2. c. 13. Eng.*

Vid. *Artificers*, 13. *Costs*, 8. *Customs*, 135, 160.

**Assault and Battery.** Vid. *Costs*, 8. *Superfedeas*, 2.

**Assay.** Vid. *Rivers*, 64, 65.

**Assent.** Vid. *Uniformity*, 13, 20.

**Assessments.** Vid. *Highways*, 14. *Parish-Churches*, 55. *St. Patricks*, 5.

**Assets.** Vid. *Inventory*, 1, 2, 3. *Trusts*, 3. *Warranty*, 2. *Wills*, 3, 10.

## Assignment.

- 1 NO Leases or Estates, (save Copy-Hold or customary Interests) to be assigned, granted, or surrendered without Writing or Operation of Law. *Gul. 3. Sess. 1. c. 12.*

Vid. *Ability*, 8. *Coaches*, 18. *Replevin*, 4. *Small Debts*, 8. *Trusts*, 2.

**Assign-Errors.** Vid. *Error*, 16.

**Assigns.** Vid. *Cessavit*, 2. *Rent*, 15.

**Assignee.** Vid. *Rent*, 15. *Small Debts*, 8.

**Assistants.** Vid. *Coaches*, 18, 21. *Poor-house*, 10.

## Assize.

- 1 ASSIZE of novel Disseisin, &c. to be taken in the proper County by Justices, and difficult Matters to be referred to the Justices of the Bench. *H. 3. c. 12. Eng. Mag. Chart.*
- 2 If a Sheriff by colour of his Office, become a Disseisor, and be attainted in an Assize of novel Disseisin, the Disseisee shall recover double Damages. *3. E. 1. c. 24. Eng. West. 1.*
- 3 The Alience of a Disseisor shall be charged with Damages in Assize of novel Disseisin, every one for his Time. *6 E. 1. c. 1. Eng.*
- 4 The Demandant or Tenant in Assize, after Appearance shall not be Essoin'd. *3 E. 1. c. 41. Eng.*
- 5 For Estovers of Wood, Delivery of Corn Toll, Passage, &c. Assize of novel Disseisin may be brought, and for common Fishing, &c. and if the Defendant fails to make good his Exception, which he Pleads, he shall be adjudged a Disseisor, and pay double Damages, and the Writ shall be *de libero tenemento*. *13 E. 1. c. 25. Eng. West. 2.*

Where



*ibid.* c. 46.

Where Common of Pasture hath been usurped during Non-age, 6  
Coverture, or Courtesie, an Action by Writ of novel Disseisin  
lieth.

34 E. 1. Eng.  
*de conjunction  
seofatis.*

If a Plea be maliciously pleaded to delay the Plaintiff, the Party 7  
shall suffer one Year's Imprisonment and be fined; and if it be found  
that the Plaintiff was disseised, he shall recover Seisin and double  
Damages.

12 E. 2. c. 1.  
Eng.

Tenant in Affize of novel Disseisin, may make Attorneys. 8

1 H. 4. c. 8.  
Eng.

A special Affize is maintainable by the Disseisee, where Lands 9  
are granted by the King's Patent before Title found by Enquest for  
the King.

4 H. 4. c. 8.  
Eng.

The Lord Chancellor to grant a special Affize where forcible 10  
Entry is made into Lands.

9 H. 4. c. 5.  
Eng.

In Affize of Lands in Franchises, if it shall be found that the 11  
Name of the Mayor, Bailiffs, &c. are inserted by Fraud or Col-  
lusion, the Writ shall abate, and the Plaintiff shall be amerced.

6 H. 6. c. 2. Eng.

The Pannels of Affizes shall be arrayed and indented, Copies 12  
thereof to be delivered by the Sheriff to the Plaintiff six Days be-  
fore the Sessions, and Bailiffs to make their Returns on Pain of  
40 l.

8 H. 6. c. 20.  
Eng.

If the Defendant make Default by Collusion, with Intent that 13  
Mayors, &c. may lose their Jurisdiction, it shall be enquired into,  
(*Supra*) and Mayors, &c. to have their Challenges.

11 H. 6. c. 2.  
Eng.

If the Sheriff be named a Disseisor by Collusion, so that the 14  
Writ is directed to the Coroner, the Writ shall abate and the  
Plaintiff be amerced.

33 H. 8. Sess. 1.  
c. 3.

The Plaintiff in Affize may abridge his Plaint in the same Man- 15  
ner as when Pleas in Bar have been made.

Vid. *Abatement*, 7. *Essoin*, 2. *Justice of Affize and Goal-delivery*,  
per tot. *Solicitors*, 28.

**Affize of Darrein Presentments.** Vid. *Darrein Present-*  
*ment*.

**Affize of Bread, Beer and Ale.** Vid. *Ale-house*, 4. *Amercia-*  
*ment*, 3. *Bread*, 1. *Victuals*, 1.

**Affizes.** Vid. *Ale-house*, 1, 6. *Certiorari*, 1. *Corn*, 16. *Customs*,  
42, 66. *Drapery*, 24, 28, 30, 32. *Education*, 3, 7, 8. *Fish*, 12.  
*Forgery*, 5. *Hedge-breakers*, 8. *Hemp*, &c. 1. *Highways*, 11.  
*Holydays*, 3. *Horses*, 3. *Justice of Affize*, 3. *Linen Manufacture*,  
17. *Maintenance*, 4. *Measures*, 13, 16. *Perjury*, 3. *Prisoners*,  
10, 11. *Schools*, 7, 12. *Sheep*, 3. *Sheriffs*, 21, 24. *Vagabonds*,  
20. *Wine*, 15. *Wood*, 10. *Wooll*, 31.

**Association.** Vid. *Abatement*, 7. *Discontinuance*, 2. *Uniformity*, 5.

**Assumpsit.** Vid. *Civil Bills*, 1. *Error*, 10.

**Assurance.**

**Assurance.** Vid. *Tytbes*, 10.

**Athbop.** Vid. *Highways*, 66.

**Atheism.** Vid. *Heretico comburendo*, 1.

**Athlone.** Vid. *Highways*, 73.

**Attachment.** Vid. *Accounts*, 1. *Arrest*, 5. *Attorney*, 15, 16. *Naviga-  
tion*, 5. *Quar' Impedit*, 4. *Sheriff*, 42.

### Attainder.

- 1 **T**HE Act of Attainder of the Earl of *Kildare*, (Vid. *Restora-  
tion*, 1.) and others.
- 2     Of *Christopher Eustace*, and others. 11 *El. Sess.* 1. c. 3.
- 3     Of the *Knight of the Valley*, alias *Glyn*, and others. ibid *Sess.* 3. c. 3.
- 4     Of the *White Knight*, and others. 13 *El. c.* 5.
- 5     Of *Thomas Queverford*, and others. 13 *El. c.* 7.
- 6     Of *Lord Boltinglass*, and others. 27 *El. c.* 1.
- 7     Of the Earl of *Desmond*. 28 *El. c.* 1.
- 8     Of *Brown*, and others. 28 *El. c.* 8.
- 9     Of the Earl of *Tyrone*, *Tyrconnel*, *Dungannon*, and  
others, (Vid. *Traitors*, 4.) 11, 12. and 13.  
*Jac.* 1. c. 4.
- 10 No Record of Attainder where the Person hath been executed  
shall be reversed or avoided by any Plea or Error. 10 and 11. *car.*  
1. *Sess.* 4. c. 14.
- 11 The Act of Attainder of *James* late Duke of *Ormond*. 1 *Geo.* 1. c. 17.  
*Eng.*
- 12 The Pretender and all his Adherents and Abettors, stand con- 2 *Geo.* 1. c. 4.  
victed of high Treason, and shall suffer as Traitors.
- 13 Persons corresponding with the Pretender, or remitting Money  
to him, guilty of high Treason; Offences against this Act com-  
mitted Abroad to be tried in *Ireland*.  
Vid. *Outlawries*, 1. *Traitors*, 3, 4, 5.

### Attaint.

- 1 **A**N Attaint is granted in Plea of Land, Freehold, or any  
Thing touching Freehold, the Heir of the Disseisee to have  
an Attaint *gratis*. 3 *E. 1. c.* 37.  
and 46 *Eng.*
- 2 *Nisi prius* shall be granted in Attaint, but no *Essoin* or *Pro-  
tection*, and 5 Days by the Year to be granted by the Justices of  
the Bench, (See *Days in Bank* 14.) 5 *E. 3. c.* 6.  
*Eng.*
- 3 An Attaint shall be granted in *Trespas*, if the Damages exceed  
40 s. and shall be in Plea Real and Personal. 5 *E. 3. c.* 7.  
*Eng.* 34. *E. 3.*
- 4 Reversioners to have an Attaint or Writ of Error, upon a false  
Verdict or erroneous Judgment, had against the particular Tenant  
who shall be restored to his Possession, and the Reversioner to the  
Arrearages. c. 7. *Eng.*  
9 *R. 2. c.* 3.  
*Eng.*

The



## Attaint.

- 11 H. 6. c. 4. The Plaintiff in Attaint, to recover against all the Jurors, Tenants, 5  
*Eng.* and Defendants, Damages and Costs for delay.
- 15 H. 6. c. 5. If any of the Defendants plead a groundless foreign Plea, the 6  
*Eng.* Justices shall give Judgment against him or them, but it shall not prejudice the rest.
- 13 H. 8. c. 3. Persons seized of Freehold or Copy-hold Lands, &c. value 10 7  
 Marks *per Annum*, are qualified to be Jurors in Attaint.
- On default of Jurors in the County, or Franchise where the 8  
 Attaint is laid, the Court may award Procefs to the Sheriff, &c.  
 of the next County, &c. to supply the Default with other Jurors.
- Vid. *Essoin*, 2. *Hab. Corpus*, 2. *Limitation*, 6. *Nisi prius*, 3.
- Attendance.** Vid. *Butter*, 13. *Customs*, 146. *Register*, 8.

## Attorneys.

- 20 H. 3. c. 10. **E**VERY Freeman that owes Suit to the County, Court, Court 1  
*Eng. Mort.* Baron, &c. may make an Attorney to do his Suit.
- 6 E. 1. c. 8. Attorneys may be made in Pleas of Trespafs, wherein Appeal 2  
*Eng.* lieth not.
- 13 E. 1. c. 10. Any Person may make a general Attorney to sue in all Pleas, du- 3  
*Eng. West.* ring the Circuit of Justices in *Eyre*.
- 7 R. 2. c. 14. Persons departing the Kingdom with the King's Licence, may 4  
*Eng.* have a Patent from the Chancellor to make general Attorneys to answer for them in Writs of *Premunire*.
- 4 W. 4. c. 18. Attorneys shall be examined by the Justices, and by their Dis- 5  
*Eng.* cretion put into the Roll, and sworn to make no Suit in a foreign Country, and to remove those that are faulty.
- 4 H. 4. c. 19. No Officer of a Lord of Franchise shall be Attorney within 6  
*Eng.* the same.
- 7 H. 4. c. 13. Impotent Persons that are outlawed may make an Attorney. 7  
*Eng.*
- 1 H. 5. c. 4. Sheriffs Officers shall not be Attorneys. 8  
*Eng.*
- 33 H. 8. *Sess.* 2. Attorneys to enter their Warrants in Court the same Term that 9  
 c. 3. the Issue is entered of Record, or before, on Pain of 10*l.* and Imprisonment.
- 11, 12 and 13. Attorneys suing out Exigents without taking out Proclamations 10  
*Jac.* 1. c. 8. at the same time, shall forfeit 40*l.*
- 10 *car.* 1. *Sess.* Every Attorney in any Action, in any Court of Record, shall 11  
 2. c. 12. deliver his Warrant to be filed, on Pain of 10*l.* and Imprisonment, *ante.* 9.
- 6 *Geo.* 1. c. 6. No Satisfaction of any Judgment shall be entered of Record by 12  
 Attorney, except he prove his Warrant by Affidavit of one Witness.

## Attorneys.

25

No Attorney or Solicitor shall commence an Action for a Bill of Cost, till after a Month after furnishing the Client with the same written in *English*, and plain Terms signed by him.

And upon Application and Submission of the Client, to pay what shall appear due upon Taxation, the Judge of the Court, may, without Suit depending for such, refer the same to the proper Officer to be taxed, who is to proceed *ex parte*, on the Negligence of either Party.

On which Reference and Taxation no Action shall be commenced, the Client to pay the whole Sum taxed, and thereupon shall be discharg'd; or on Default thereof, to be liable to an Attachment or Process of Contempt, as on the Breach of any other Order of the Court, or to such other Proceedings as the Attorney, &c. shall think fit.

The Attorney, &c. to refund if over paid, or to be attached as *ante*, 15. The Court to award Costs on the Taxation; if the Bill be made less by a Sixth, then against the Attorney, &c. otherwise at the Discretion of the Court.

Vid. *Appearance*, 2. *Arrest*, 6. *Affize*, 8. *Bail*, 9. *Banister*, 2. *Champerly*, 6. *Civil Bills*, 16, 17. *Fees*, 9, 32. *Oaths*, 6. *Sheriff*, 11. *Solicitors*, 6, 7.

**Attorney-General.** Vid. *Escheators*, 12. *First-fruits*, 20. *Justice of Affize*, 6. *Nisi Prius*, 8. *Poor-house*, 1. *Solicitors*, 9, &c.

## Attornment.

ALL Grants or Conveyances of any Mannors or Rents, or of the Reversion or remainder of any Lands, &c. shall be good without the Attornment of the Tenants, but the Tenants not to be prejudiced by such Grants without Notice.

**Auction.** Vid. *Customs*, 127.

**Auditors.** Vid. *Accounts*, 2.

**Auditor-General.** Vid. *Collector*, 4.

**Averment.** Vid. *Feofails*, 3. *Proclamation*, 8. *Tythes*, 2. *Voucher*, 3.

**Augmentation.** Vid. *Adowson*, 10. *Spiritual Persons*, 14.

**Avew.** Vid. *King*, 4.

**Avlnage.** Vid. *Drapery*, 34.

**Avlnaver.** See *Alnager*.

**Auncel-Weight.** Vid. *Linen Manufacture*, 50. *Weights*, 7.

**Avoidance.** Vid. *First-fruits*, *Spiritual Persons*, 30, 31.

**Avordupoize.** Vid. *Bread*, 1. *Corn*, 11. *Measures*, 10.

**Avowant.** Vid. *Avowry*, 1.

D

Abowry.



33 H. 8. Sess. 1.  
c. 7.

**U**PON a Replevin or second Deliverance for Distress for Rent, or Service, &c. the Lord or Bailiff may avow or make Co-nuance on the Land without naming the Tenant.

The Avowant to recover Damages and Costs, and both Parties (except in Disclaimer) to have like Pleas, as at common Law.

Vid. *Distress*, 10. *House of Correction*, 8. *Limitation*, 2.

**Authority.** Vid. *Abatement*, 3. *Rivers*, 35.

**Award.** Vid. *Arbitration*, 1.

**Apel.** Vid. *Cozenage*.

**Back.** Vid. *Customs*, 166.

**Badger.** Vid. *Corn*, 2.

**Badges.** Vid. *Porters*, 1.

**Baponetts.** Vid. *Papists*, 5.

### Bail.

3 E. 1. c. 15.  
Eng. West. 1.

**T**HIS Act mentions what Offenders are bailable, and what not; Murderers, Persons Out-lawed, Prison-breakers, Thieves openly defamed, Counterfeits of the King's Seal or Coin, Excommunicated Persons, manifest Offenders and Traitors not Bailable, but Persons for Larceny, Accessories to Felony, or guilty of Suspicion are Bailable, Officers setting Prisoners not Bailable at Liberty, to suffer 3 Months Imprisonment, and with-holding Persons Bailable, to be fined.

13 E. 1. c. 11.  
Eng.

Servants or Bailiffs on Account committed to Goal, not Bailable.

23 H. 6. c. 10.  
Eng.

The Sheriff may take Bail for the Appearance of Persons in Personal Actions, and Indictments of Trespass.

3 H. 7. c. 1.  
Eng.

Justices before whom a Person indicted for Murder is acquitted, may remand him to Goal, or Bail him at Discretion for the Year to bring an Appeal.

3 H. 7. c. 3.  
Eng.

Two Justices (*quorum unus*) have Power to let to Bail till next Assizes or Sessions, *post*. 6.

10 Car. 1. Sess.  
2. c. 18.

None to be bailed who are not Bailable, by 3. E. 1. c. 15. Eng. 6. And none for Man-slaughter or Felony to be bailed but in Sessions (except by two Justices *quorum unus*) *ante*. 5.

The Justices before Bail to examine the Prisoner and Prosecutor, and certify the same at the next Goal-delivery, and on default thereof, to be fined by the Justices of Goal-delivery.

10 and 11. Car.  
1. c. 10.

Bail swearing to be worth more than he really is, to be punished by the Discretion of the Justices.

7 Gul. 3. Sess.  
1. c. 18.

The Justices of the *King's-Bench*, or any two of them, whereof the Chief to be one, and the like of the *Common-Pleas* and *Exchequer*, may appoint Commissioners 10 Miles from *Dublin* (but not

## Bail.

27.

not Attorneys or Solicitors) to take Bail in Actions depending in the said Courts, and on Affidavit made thereof, to be received therein.

Judges on Circuit may take such Bail, and the same to be received without Oath, and 'tis made Felony to personate another in such Bail.

Bail given in any Action in the *Four-Courts* not chargeable in any *6 An. c. 15.* other Action.

No Person shall be held to special Bail in Actions of Debt, Debt, De- *6 Geo. 1. c. 6.* tinue, Trover, Trespass or Case, for 10*l.* or more (without Specialty or Affidavit of good Cause of Action) for any more than double the Sum of the just Demand, and in Actions of Debt above 10*l.* for the very Sum due only, and where no such Cause of Bail appears, the Defendant, on his Attorney's Appearance, to be discharged from Custody.

Vid. *Accusation*, 9. *Arrest*, 5. *Certiorari*, 1. *Coroners*, 9. *Error*, 9. *Fees*, 4. *Felony*, 57. *Murder*, 2. *Sheriff*, 32. *Solicitors*, 7.

## Bailiff.

NO Bailiff, Sheriff, or other Officer, without special Authority, *3 E. 1. c. 24.* shall disseise a Man of his Freehold, on pain of double Damage *Eng.* and Amerciament.

Vid. *Accounts*, 1, 2, 4. *Affize*, 12. *Distress*, 12. *Fees*, 5. *Sheriff*, 14.

**Bakers.** Vid. *Amerciament*, 3. *Bread*, 2. *Corn*, 13. *Victuals*, 2. *Weights*, 4.

**Balkan.** Vid. *Wine*, 8.

## Ballast.

THE Lord Mayor and Common Council may erect a Ballast- *6 An. c. 20.* Office in *Dublin*, that all Ships in that Port may be served there and not elsewhere, on pain of 5*l.* and they have Power to make By-laws, and to appoint and dismiss Officers, and their Salaries, (a sufficient Number of Lighters, &c. which, on pain of treble their Hire, shall not be employed in any other Service) and Workmen, &c. to be provided to raise the Ballast out of the *Anna-Liffy*, and to furnish Ships in 24 Hours after Notice, Wind, &c. permitting. (Vid. *Fees*, 6. *for the Price of Ballast*.)

Wherries, plying on the River, to pay 5*s.* per Annum Duty, Lighters 10*s.* Fine, and 10*s.* Duty per Annum; the Officers of the Port not to clear any Ship without a Discharge from the Ballast-Office, unless by Oath of the Master before the Commissioners a Neglect appears in the Ballast-Officers, and the Master of the Ship, in such Case, may furnish himself in the River.

The Surplus of the Money of this Office to be applied to cleanse the River, and to the *Blue-coat-Hospital* Boys.



**Ballast.**

The Lord Mayor, triennially, to lay an Account of the annual Produce, and how applied, before the Government, on pain of 100 l.

Persons throwing Dirt in the *Anna-Liffy* to forfeit 5 s. or be whipt; no Ballast to be raised in the Strand, nor from one Ship to another, on pain of 20 l.

Ships to discharge their Ballast in 24 Hours after Arrival, and this to be deemed a publick Act, and be pleaded as such.

6 Geo. I. c. 15. The Master of the Ballast-Office may distrain the Sails, Oars, &c. in any Lighter, &c. for any Sums due by the above Act, and if not released in 10 Days, to sell the same.

No Ship above 30 Tuns to sail Coast-ways, without a Discharge from the Ballast-Office.

10 Geo. I. c. 3. Directors of the Ballast-Office, on Neglect of the Owners, may after 6 Days remove any Ship, &c. sunk in the River, and on neglect of paying the Charge, to sell the same by publick Cant.

The Directors to place Perches at due Distance on both Sides of the Channel, between *Ring's-end* and *Pool-beg*; Defendants may plead the general Issue on this Act, and recover treble Damages.

See *Watches*, 30. for the Continuance of this Act.

3 Geo. 2. c. 21. This Act is made for erecting a Ballast-Office in *Cork*, *Galway*, *Sligo*, *Drogheda* and *Belfast*, much to the same Purpose, and under the like Regulations, as in the Case of *Dublin*, but that the Fees and Price of Ballast are less on this Act, as 6 d. per Tun Ballast, 1 d. Natives, and 1½ d. Aliens Ships per Tun Burthen.

Vid. *Fees*, 6.

**Ballynlogh.** Vid. *Parish Churches*, 27.

**Ballyntober.** *Ibid.* 15.

**Ballycotton.** *Ibid.* 47.

**Ballycrogie.** *Ibid.* 17.

**Ballycroneen.** *Ibid.* 47.

**Ballphabert.** *Ibid.* 7.

**Ballymackward.** *Ibid.* 33.

**Ballymore-Eustace.** Vid. *Union*, 4.

**Ballpnacarrig.** Vid. *Parish Churches*, 17.

**Ballpnahinch.** Vid. *Cattle*, 3.

**Ballpoughtra.** Vid. *Parish Churches*, 19.

**Ballpwater.** Vid. *Parish Churches*, 7.

**Ballpnekill.** *Ibid.* 31.

**Bandon.** Vid. *Rivers*, 29.

**Bankers.**

3 Geo. I. c. 14. **B**ANKER's Notes to bear Interest against him, his Executors, &c. from the Time of Demand.

Bankers

## Bankers.

29

Bankers concealing themselves on Affidavit of such, and on Demand at his Shop, the Party, in such Case, may prosecute his Action, as if the Banker had been arrested and entered an Appearance.

No Conveyance of real or personal Estate made after absconding, shall bind a Creditor, his Money being due before absconding.

All real Estate of Bankers for Lives in Fee, or in Tail, and his personal Estate, after his Death, to be subject to his Debts (except Conveyances *bona fide*) and Creditors may join in Actions against the Heir, Devisee, Grantee, &c. and recover, as if due by Specialty, by Virtue, 2. *An.* (Vid. *Fraudulent Conveyance*, 8.)

All Deeds and Conveyances by Bankers of any real Estate whereby the same is granted, demised, or incumbered, to be inrolled in *Canc.* and registered in a Month from the Perfection, or in 3 Months, if perfected out of the Kingdom, otherwise to be void against Creditors.

Vid. *Trade*, 1, 2.

**Bankers Notes.** Vid. *Felony*, 58.

## Banks.

NO Town or Freeman shall be distrained to make Bridges or Banks, but what have been of old used to do. *9 H. 3. c. 15. Eng. Mag. Chart.*

Vid. *High-ways*, 40.

**Bann.** Vid. *Rivers*, 16.

**Bann-Bridge.** Vid. *High-ways*, 78.

## Bar.

PAYMENT may be pleaded in *Bar* to any Action of Debt by Bill, or *Scire Facias* on Judgment, and also to a Bond where the Condition is voidable, on Payment of a lesser Sum, if made before the Action brought. *6 An. c. 10.*

Vid. *Actions Popular*, 1. *Advowson*, 1. *Disclaimer*, 1. *Education*, 7.

*Fine*, 10. *Forgery*, 3. *Limitation*, 3, 18, 19, 20. *Mortgages*, 1, 2.

*Proclamation*, 7. *Settlement*, 3. *Wooll*, 16.

**Bargain and Sale.** Vid. *Inrolments*.

**Bargains in Fairs and Markets.** Vid. *Earnest per tot. Contracts*, 1.

**Bark.** Vid. *Customs*, 104, 105. *Wood*, 2.

**Barkers of Trees.** Vid. *Hedge-breakers*, 1.

**Barley.** Vid. *Corn*, 10, 11.

**Barnstable.** Vid. *Wooll*, 22.

**Baron.** Vid. *Abatement*, 2. *Judgment*, 1.

## Barons



**Barons of the Exchequer.** Vid. *Account*, 2. *Affidavit*, 1. *Customs*, 91. *Error*, 2. *Escheators*, 12. *Exchequer*, 1. *Nisi prius*, 8. *Officers*, 1, 7. *Sheriff*, 2, 4, 47, 49. *Solicitors*, 18. *Treasurer*, 3.  
**Lord Chief Baron.** Vid. *Customs*, 46. *Exchequer*, 1. *Oaths*, 20.  
**Baron and Fem.** Vid. *Leases*, 4.  
**Barons of the Exchequer in England.** Vid. *Treasurer*, 3.  
**Baroness.** Vid. *Trial*, 1.  
**Baronies.** Vid. *Bows*, 4. *Counties*, 7, 8. *Distress*, 17. *Tories*, 2.  
**Barony Clerk.** Vid. *County Courts*, 5.  
**Barrator.** Vid. *County Courts*, 3.  
**Barrell.** Vid. *Fish*, 24.  
**Barter.** Vid. *Customs*, 27.

### Barracks.

1 *An. Seff.* 1. **T**RUSTEES may convey the Barracks erected on forfeited  
*c.* 13. *Seff.* 110. *Eng.* Estates in *Ireland*, to the Barrack-Trusteers for ever.

4 *Geo.* 1. *c.* 7. The chief Governor to appoint Commissioners to ascertain the  
 Ground whereon Barracks and Light-houses are built or to be built,  
 and to treat with the Owners for the Purchase or yearly Rent.

The Purchase-Money or Rent to be Part of the Military List,  
 and to be paid by the Treasurer, without Warrant out of the Re-  
 venue; and in Case of Persons refusing or being disabled to treat  
 the said Commissioners, on 31 Days Notice, to be posted, on the  
 Church Door where the Lands lye, to issue a Warrant to the She-  
 riff to return a Jury before them to value the said Lands upon Oath,  
 the Inquisition to be returned into the *Exchequer*, and is conclu-  
 sive to the King and Party.

Such Lands so purchased to be vested in the King for the Use  
 of the Barracks and Light-houses.

By 10 *Geo.* 1. *c.* 4. The above Act was further continued; and by the  
 next subsequent Statute, it is in force to the 25 December, 1737.

3 *Geo.* 2. *c.* 5. And by this Act also, a Power is given to said Commissioners to  
 ascertain the Ground and Rent, &c. of Hospitals for sick Soldiers,  
 in the like manner.

Vid. *Treasurer*, 5.

**Barrels.** Vid. *Beef*, 1. *Butter*, 1. *Measures*, 2, 19.

### Barrister at Law.

33 *H.* 8. *Seff.* 2. **N**ONE to be admitted a Barrister that is not Years at  
*c.* 3. least resident in one of the *Inns of Court* in *England*.

1 *Geo.* 2. *c.* 20. Persons applying to be called to the Bar, Six-Clerks, Attorneys,  
 Officers, (or Deputies) of Courts, shall, before Application or Prac-  
 tice,

## Barrister at Law.

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tice, take the Oaths, and subscribe the Declaration appointed by the 2 *An.*

Vid. *Disceit*, 1. *Oaths*, 6. *Papists*, 69, 70. *Solicitors*, 6, 13.

**Barrow.** Vid. *Rivers*, 15. *Wears*, 3.

**Barrymore, Carl.** Vid. *Poor-house*, 1. *Rivers*, 36. *m.*

## Bastard and Bastardy.

**A** Child born before Marriage is a Bastard (the Church-Laws 20 *H. 3. c. 9.*  
*contra.*) *Eng. Mert.*

Trial of Bastardy of one born beyond Sea, to be by Certificate 25 *E. 3. Eng.*  
of the Bishop where the Demand lies. *Stat. de natis*  
*ultra mar.*

No Writ shall issue to the Ordinary to certify Bastardy before three 9 *H. 6. c. 11.*  
Proclamations be made in *Chancery* in 3 Months. *Eng.*

Mother of a Bastard Child, concealing the Death, is guilty of 6 *An. c. 4.*  
Murder, unless proved to be dead-born.

**Barewards.** Vid. *House of Correction*, 7.

**Baslick.** Vid. *Parish Churches*, 15.

**Battery.** Vid. *Limitation*, 8.

**Bays.** Vid. *Drapery*, 16, 17.

**Beacon.** Vid. *Cattle*, 1.

**Beadles.** Vid. *Poor-house*, 21, 22.

**Beagles.** Vid. *Game*, 2.

**Beans.** Vid. *Corn*, 11.

**Beavre.** Vid. *Ireland*, 7.

**Bear.** Vid. *Corn*, 11.

## Beau-pleader.

**N**O fines to be taken in any Court for fair-pleading. 52 *H. 3. c. 11.*  
*Eng.*

**Beds.** Vid. *Ale-house*, 4. *Marshals*, 1, 2.

## Beef.

**B**E E F for Transportation to be 200 weight neat, in each Barrel, 2 *An. c. 15.*  
on Pain of Forfeiture to the Crown and Prosecutor, by Action  
of Debt. (Vid. *Butcher*, 7.)

None to pack Beef for Export or Sale in any Half-barrel under 8 *Geo. 1. c. 7.*  
14 Gallons and a Half, or above 15 Gallons; or in any whole Barrel  
under or over double the same Quantity; or any Pork in Barrel  
less than 200 Pounds weight neat, and the Barrel to be marked with  
the Cooper or Merchant's, &c. Name, on Pain of 10 s. *per* Bar-  
rel; and Coopers making Barrels not according to such Gages to  
forfeit 20 s. *per* Barrel.

Any



**Beef.**

Any Person may seize and detain such Goods pack'd contrary to this Act, and Notice to be given in reasonable Time to the Constable, who shall carry such Goods and Offenders before a Magistrate, who shall cause the Penalties to be levied and paid to the Informer.

The general Issue may be pleaded, and treble Costs given on this Act, and is continued by 5 Geo. 2. c. 6. for 7 Years from the End of that Parliament. By 1 Geo. 2. c. 1. every Carcass of Beef pays 1 s. Custom.

Vid. Cattle, 1. Merchants, 12.

**Bee-hives.** Vid. Wood, 6.

**Beer.** Vid. Ale, Ale-house-keeper, Draw-back, 2.

**Beggars.** Vid. House of Correction, 7. Poor-house, 15. Vagabonds, 2, &c.

**Behaviour.** Vid. Good Behaviour.

**Bekan.** Vid. Parish Churches, 27.

**Bell.** Vid. Bread, 30.

**Belfast.** Vid. Ballast, 11. Corn, 16. High-ways, 78.

**Bench.** Vid. Justice of Assize, 5.

**Benefices.** Vid. Ability, 1. Aliens, 2. Leases, 7. Parish Churches, 38. Provisors, 3, 4. Spiritual Persons, 2, 5.

**Benevolence.** Vid. Taxes, 4.

**Bengals.** Vid. East-India Goods, 1.

**Berkley, Earl.** Vid. Absentees, 1.

**Bernard, Stephen.** Vid. Rivers, 36. m.

**Berwick.** Vid. Cattle, 1.

**Besapel.** Vid. Cozenage.

**Betts.** Vid. Gaming, 5.

**Bettesworth, Richard.** Vid. Rivers, 36. m.

**Beyond Sea.** Vid. Limitation, 10.

**Biddisford.** Vid. Wooll, 22.

**Bigamy.**

18 E. 3. c. 2. **BIGAMY** not to be tried by Inquest, but by Certificate from the Ordinary.

12 Geo. 1. c. 3. A Man or Woman convict of Bigamy, after Claim of Clergy allowed, shall be transported, and not burnt in the Hand. (Vid. Marriages, 2. It was Felony of Death.)

Vid. Clergy, 2.

**Bills.** Vid. Accusation, 8. Gaming, 7. Mortgages, 5.

**Bills of Costs.** Vid. Attorney, 13, &c.

**Bills of Exception.** Vid. Exception, 1.

## Bills of Exchange.

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**B**ILLS of Exchange drawn or dated in *Ireland*, of *5 l.* and up-<sup>8</sup> *An. c. 11.* wards, wherein the Value is expressed to be received, after Refusal or Neglect of Payment, may after Acceptance in writing, in three Days after due, (or for Non-acceptance in the like time) be protested.

*See the Form in the Stat. at large.*

2 Notice of the Protest to be given in 14 Days, to the Party from whom the same was received, who thereupon, is to pay the Contents, with Interest and Costs; or on Default of such Protest and Notice, the Indorsee or Drawee, to be liable to the Costs, Damages, and Interest, and said Bill to be deemed compleat Payment.

3 The Drawer to give new Bills, if lost within the time, on Security to indemnify him from the former.

4 The Parties Remedy against the Drawer, Acceptor or Indorser, is still saved.

*Vid. Felony, 58. Forgery, 8. Promissory Notes, 1.*

**Bingham, Sir Henry.** *Vid. Poor-house, 1.*

**Bingham, John.** *Vid. Poor-house, 1. Rivers, 36. C.*

**Bingham, Henry.** *Vid. Rivers, 36. C.*

**Birch, John.** *Vid. Kilkenny, 1.*

**Birch.** *Vid. Ability, 2, 3, 6, 7, 10.*

## Bishops.

**E**SCHEATS of the Bishop's Tenants, who shall be attainted of Felony during the Vacation, shall come to the King. *17 E. 2. c. 14. Eng.*

2 The King shall not seize the Temporalities of Bishops into his Hands. *1 E. 3. c. 2. Eng.*

3 Nor the Temporalities of Bishops or other Clergy, without just Cause, and not for a Contempt which is only fineable. *25 E. 3. Stat. 3. c. 6. Eng.*

4 The Bishops, by the King's Commission, to visit Hospitals of the King's Foundation, and report into *Chancery*, and of the Foundation of others, *ex officio.* *2 H. 5. c. 1. Eng.*

5 The Writ of *Conge-deslier*, is taken away, and upon the Vacancy of any Bishoprick, the Queen, her Heirs, &c. may, by Patent, confer the same on any Person. *2 El. c. 4.*

6 Notice of the Collation of a Bishop, to be given to the Archbishop of the same Province, and if vacant, to any other Archbishop, and of the Collation of an Archbishop to any other Archbishop, and two Bishops of the Province, or to any other four Bishops.

7 The Persons so having Notice within 20 Days after, to invest and consecrate the Person so conferred, and give him his Pall, and all other Benedictions, Ceremonies, &c. on pain of a *Premunire*, without procuring Bulls from any foreign Power.

E

Persons



**Bishops.**

Persons so conferred, sueing their Temporalities out of the Hands of the Queen, her Heirs, &c. and making Oath and Fealty to her and her Heirs, &c. only, shall be thronized and installed, and take their Restitution from her only, and shall be obeyed as Archbishops and Bishops.

Vid. *Advowson*, 4, &c. *Alms-house*, 1. *Appropriation*, 2, 3. *English Language*, 2, 4. *Excommunication*, 2. *Fees*, 1. *First-fruits*, 20, 22. *Glebes, per tot. Leases*, 9. *Oaths*, 1, 5. *Papists*, 10, 52, 60. *Pious Uses*, 1. *Rome*, 15. *Schools*, 3, &c. *Settlement*, 8, 9. *Spiritual Persons*, 6, 14, 19. *Uniformity*, 5.

**Bishop of Rome.** Vid. *Rome, per tot.*

**Bishopricks.** Vid. *Bishop*, 5. *Vacation*, 2.

**Bisfertile.**

21 H. 3. Eng. Stat. de Anno Bissex. ili. **T**HE Day increasing in the Leap-year, and the Day next going before, shall be accounted for one Day— (This was done to avoid the Doubt in assigning the Year and Day.)

**Blackney, Robert.** Vid. *Parish-Churches*, 32.

**Black-water.** Vid. *Rivers*, 19, 22.

**Blasphem.** Vid. *Heretico-comburendo*, 1.

**Bleaching.** Vid. *Linen-Manufacture*, 9, 32, 38, 59.

**Bleach-yard.** Vid. *Felony*, 46. *Linen-Manufacture*, 33.

**Blenerhasset, Arthur.** Vid. *Poor-house*, 1. *Rivers*, 36. m.

**Blessington.** Vid. *Union*, 3.

**Blewcoat-Hospital.** Vid. *Ballast*, 3. *Coaches*, 12. *Dublin*, 22. *Navigation*, 1.

**Bloody-bridge.** Vid. *Dublin*, 35.

**Blount, Thomas.** Vid. *Kilkenny*, 1.

**Boards.** Vid. *Ships*, 12.

**Boat men.** Vid. *Customs*, 21. *Wears*, 6.

**Boats.** Vid. *Wears*, 3, 5. *Fisher-boats*.

**Bodies Politick.** Vid. *Spiritual Persons*, 27.

**Boggs.** Vid. *High-ways*, 5. *Leases*, 16. *Partition*, 21. *Rivers*, 34, 67.

**Bolton, Thomas.** Vid. *Ability*, 9.

**Bonds.** Vid. *Administrator*, 4, 8. *Arrest*, 5, 6. *Certificate*, *Goods*, 2. *Corn*, 10. *Covenant*, 1, 4. *Customs*, 25, 38, 41, 87. *Felony*, 58. *First-fruits*, 3. *Forgery*, 8. *Obligation*, 1. *Pleaders*, &c, 6. *Replevin*, 4. *Sheriff*, 14, 32. *Ships*, 19. *Small Debts*, 2, &c. *Wine*, 7. *Wool*, 18, 26, 27.

**Book of Common-prayer.** Vid. *Uniformity*, 1, &c.

**Poll books.** Vid. *Parliament*, 34.

**Book of Rates.** Vid. *Customs*, 72, 73, 97.

**Books of Receipts.** Vid. *Collector*, 4.

**Books**

**Books of Taxes.** Vid. *Rome*, 6.

**Bophin, Lord.** Vid. *forfeited Estates*, 20.

**Bozrough.** Vid. *Amerciament*, 10.

**Bounds.** Vid. *Mears, Approvement*, 2. *Partition*, 9, &c.

**Bowles.** Vid. *Gaming*, 1.

### Bows and Butts.

- 1 **EVERY** *English* and *Irish* Man, speaking *English*, to have an *English* Bow and twelve Shafts, on pain of 2 *d.* per Month; *E. 4. c. 4.*
- 2 Four Bows to be imported for every Tun of Merchandize, on pain of 6 *s.* 8 *d.* per Tun, and ten Bows for every Tun of Malmsey and Tyre, on pain of 13 *s.* 4 *d.* per Tun. *12 E. 4. c. 2. } Eng. 1 R. 3. c. 11.*
- 3 All Persons worth 10 *l.* in Goods, to have a Bow and Shafe of Arrows; if worth 20 *l.* to have a Jack, Sallet and Bow; Freeholder of 4 *l.* per annum, to have a Horse, Jack, &c. Lords, &c. to have their Men armed with Jack, &c. on pain of 6 *s.* 8 *d.* *10 H. 7. c. 9.*
- 4 Each Barony to have two Wardens of the Peace, and each Parish a Constable, and the Constable, on pain of 12 *d.* each Default, to call before him every Holiday, all the Persons having Bows, &c. to shoot at Butts, appointed at the Cost of the Parish, for that Purpose, Persons making Default, to be amerced 4 *d.* to be Estreated into the *Exchequer*.

**Bopl.** Vid. *Rivers*, 24.

**Bopl, Henry.** *Parish-Churches*, 19.

**Bopn.** Vid. *Rivers*, 14, 23.

**Brand.** Vid. *Butter*, 14, 17. &c. *Fish*, 25.

### Brandy.

- 1 **NO** Brandy, except one Gallon per Man, for the Use of the Sailors, shall be imported in Casks under 50 Gallons, on pain of Forfeiture. *2 Geo. 1. c. 18.*

Vid. *Customs*, 114, 122, 154, 158. *Isle Man*, 1. *Ships*, 12. *Wine*, 8.

**Brass.** Vid. *Pewter*, 1, &c.

**Brass Knockers.** Vid. *Felony*, 61.

**Breach of the Peace.** Vid. *Peace*.

### Bread.

- 1 **THE** Lord Mayor of *Dublin*, Chief Magistrates of Cities and Liberties, &c. or two Justices of Peace to settle and publish the Affize of Bread weekly in *Averdupois*-Weight, according to the Market \* Rate, and no Sorts to be made, but White, Wheaten and Household, and such other Sorts as shall be allowed by the said Magistrates. See the Table of the Affize in the Stat. at large. *1 Geo. 2. c. 16. Vid. Weights, 3. Corn, 14. Post, 16.*



The Bakers to mark the Sort and Weight on every Loaf, and the Magistrates have Power to appoint such Marks, and to make other Orders for Regulation.

*vid. Post. 19.*

Bakers to forfeit 5 s. for every Ounce wanting, and 2 s. 6 d. for less; and 5 s. for every Loaf not mark'd, and 20 s. for mixing any other Grain; Complaint to be made in *Dublin* and Liberties, 24 Hours after baking or exposing to Sale, and in all other Places, in 3 Days after.

† *Post. 20.*

Bakers, &c. breaking Regulations, or offending where no Penalties are specially inflicted, to forfeit a Sum not exceeding † 40 s. to the Use of the Informer, recoverable before the Magistrate, by one Witness.

Convictions to be certified to the next Quarter-Sessions, and Persons fined 40 s. or more may appeal thereto, and the Quarter-Sessions have Power to award Costs.

Magistrates neglecting, to forfeit 20 s. recoverable by *Civil Bill*.

The Magistrates, &c. may in the Day-time enter into the House, &c. of Bakers, &c. and search for, try and weigh the Bread, and seize the same if not Statutable, and dispose thereof to the Poor, or Prisoners: Persons refusing Entrance, to forfeit 40 s. •

Bakers, buying Corn or Meal imported, or brought Coast-wise, shall, on pain of 20 s. return in Writing upon Oath, in 24 Hours after, to the Chief Magistrate, the Time when, the Price, neat Number of Barrels, and from whom bought.

The Magistrate may swear, and examine all Parties concerned, to the Truth of such Return.

Bakers, &c. in *Dublin* to buy Corn, &c. in the publick Market, on pain of 5 l. and shall always, on pain of 40 s. bake the same Quantity of Household as Wheaten Bread, unless the Lord Mayor or Seneschals direct the contrary.

The Price of Corn in all Markets within 5 Miles, to be certified on Oath by the Clerks or Constable to the Magistrates at all Times, when ascertaining the Assize, in all Places.

The Lord Mayor, &c. may make such further Allowance to the Bakers in *Dublin* as he shall think necessary: *This Act not to prejudice Lords of Leet in his Authority about the Assize there.*

None to sell Corn on any Market-day before the Bell rings at eleven in the Morning, and Persons punished by this Act, not to be prosecuted on any other Law.

The general Issue may be pleaded by Persons executing this Act, and recover treble Costs.

3 *Geo. 2. c. 5.* The said former Act is by this continued in Force to the 25th Day of March, 1751.

The

- 16 The Persons in 1 *Ante*, shall, from Time to Time, ascertain the 7 Geo. 2. c. 15.  
Affize of Bread to be exposed to Sale, respecting the Price of the Grain in the City, Town or next Market, making reasonable Allowance to the Bakers.
- 17 No Sort of Bread to be made but such as is mentioned, or to be licenced, as in 1 *Ante*, and to be made according to the several Degrees of the Goodness of each Grain, whereof the same ought to be made, the Affize to be according to the Table mention'd, in 1 *Ante*.
- 18 The Sort and Price of each to be marked on every Loaf by the Baker, as *Ante* 2. and the said Magistrates to make Rules in Writing, from Time to Time, to know the Baker, and to make all other necessary Rules, as there shall be Occasion.
- 19 Bakers making or selling Bread to forfeit 5 s. for any Deficiency *Quer. Who do the Fines go to?* less than an Ounce, the other Forfeitures, and Time of Complaint, remain, as *Ante* 3.
- 20 Persons offending, or acting contrary to this Act, in any Matter not provided against, shall forfeit 5 s. before the Magistrates.
- 21 But a crusty Loaf is excused from the Fine, if of the proper Weight going into the Oven, but may be forfeited at the Discretion of the Magistrate.
- 22 Convictions, on this Act, to be returned to the next Quarter-Sessions, there to be recorded, and seen without Fee.
- 23 Persons fined 40 s. may appeal, on Peril of Costs, to the next Quarter-Sessions.
- 24 Bakers, putting Mixture of any other Grain, or in a larger Proportion than shall be appointed in any Bread for Sale, shall forfeit 20 s.
- 25 Magistrates omitting their Duty, on this Act, to forfeit 20 l. in Debt &c. in the *Four-Courts*. *Quer. To whom given?*
- 26 The said Magistrates, in the Day-time, to enter into any Baker's Shop or House, and seize Bread, made contrary to this Act, for the Poor or Prisoners; Persons resisting to forfeit 20 s.
- 27 No Huckster in *Dublin* or others, except common Bakers, shall sell any Bread but Rolls or Penny-Loaves, on pain that they and the Baker shall forfeit 2 s. 6 d. for each Offence, to the Informer and Poor, before the Magistrate. *Quer. If 2 s. 6 d. for every Roll?*
- 28 In order to ascertain the Affize of Bread, the Price of Corn in all Market-Towns, within 5 Miles, to be returned to the Magistrates upon Oath, by the Clerks or Constables.
- 29 Eight Shillings *per* Quarter to be allowed to Bakers in *Dublin*, and may have further reasonable Allowances, as the Lord Mayor and Six Aldermen see fit. *The Privileges of Lords of Leets preserved.*

Upon



*Quer. If this extends to any but Dublin Markets?*

Upon all Market-Days a Market Bell to ring at eleven o'Clock, and Persons selling Corn before, to be prosecuted as Fore-stallers; on which Days the Lord-Mayor or Deputy shall attend, to take the Price of Corn.

The general Issue may be pleaded, and treble Costs given to Persons sued for executing this Act, and to be in Force for one Year from *Michaelmas*, 1734, and the End of next Sessions.

Vid. *Prisoners*, 10. *Weights*, &c. 2.

**Breagh.** Vid. *Parish-Churches*, 12.

**Breaghnp.** *Ibid.* 6.

### Breakers of Leagues and Truce.

2 H. 5. St. 1. c.  
6. Eng.

A Conservator of the Truce, worth 40 *l. per Annum* in Lands, and two Lavers, joined as Associates, to be appointed, and be resident in every Port, and they shall have Power to enquire by Enquest, award Process, and punish Offences done on the Sea, (except Murder.)

The Conservators to have a Seal, and have 40 *l. per Annum* Salary.

Masters and Owners to swear before him before they depart the Port, not to break the Truce, and to report to him what Goods, &c. they take from the Enemy, before the same is sold or discharged, on pain of forfeiting the Ship, and Fine and Imprisonment.

4 H. 5. c. 7. Eng. Persons, with whom Truce is broken at Sea, complaining to the Keeper of the Privy-Seal, shall have Letters of Request; and if the Offenders make not Restitution thereupon, to have Letters of Mart under the Great Seal.

14 E. 4. c. 4. Eng. The above last Act is by this Act confirmed.

### Brewers.

51 H. 3. Eng.  
St. of Pillory.

BREWERS, not observing the Assize of Ale, to be amerced, and put to the Tumbrel.

Vid. *Amerciament*, 3. *Corn*, 13. *Customs*, 37, 38, 40, 44, 116, 166. *Victuals*, 2.

**Brewing Vessels.** Vid. *Customs*, 140.

**Briberp.** Vid. *Jurors*, 4. *Justice of Assize*, 2.

### Bricks.

3 Geo. 2. c. 14.

PERSONS, making Bricks for Sale, shall dig the Clay before the *November* next preceding the Burning, and strip the upper Soil therefrom, and use none but natural Brick-earth, well cleaned,

cleaned, without Amfwash, the Clay to be turned before *February* after.

2 No Brick for Sale to be molded after the 25th of *November*, and before the 25th of *March*, yearly.

3 Brick, after Burning, to be nine Inches and a Half long, four and a Half broad, two and a Quarter thick, and none to mold, form, or burn Brick for Sale, but between the 1st of *March*, and 1st of *November*, yearly. *Quer. From the 1st to the 25th of March.*

4 Persons, making Brick contrary to this Act, shall forfeit 20 s. per Thousand, before two Justices of Peace, on the Oath of one Witness, to the Informer and Poor, to be levied by Distress, &c. on their Warrant, or 3 Months Imprisonment on Default, with Liberty of Appeal to the Sessions, who may give Costs.

5 One Hundred and Twenty Five is a Car-load of Brick; 64 Gallons is a Hogshead of Slack-Lime; 500 Weight is a Car-load of Stone; Carmen, &c. falsifying Weights or Measures aforesaid, or Sand, or any other Materials for building, to forfeit 20 s. before one Justice of Peace.

Vid. *Coaches*, 11.

*Bridewell*. Vid. *Poor-house*, 30.

## Bridges.

1 BRIDGES, Causeys, and Toghers in Towns-Corporate, be-<sup>10 Car. 1. Sess.</sup> ing Counties, to be made and repaired by the Inhabitants, <sup>2. c. 26.</sup> and out of such Towns, by the Inhabitants of the Shire or Barony, and if Part in both, the Inhabitants of both are chargeable.

2 Justices of Assize, <sup>† and of the Peace</sup>, with the Assent of the <sup>† Altered, Vid. high-ways, 34.</sup> Grand-Jury, may tax the Inhabitants within their respective Commissions, for the Building and Repairing of such Bridges, and appoint Collectors, and to distrain for the same, and appoint Surveyors, and allow their Charges, both which shall account at the Sessions, or to be committed to Goal without Bail.

Vid. *Banks*, 1. *Grand-juries*, 6, 11. *Lights*, 13. *Toll*, 4.

*Bridgewater*. Vid. *Wooll*, 22.

*Bristol*. *Ibid.*

*British Linen Cloath*. Vid. *Linen Manufacture*, 29, 31.

*Broadcloth*. Vid. *Wooll*, 14.

*Broad haven*. Vid. *Parish Churches*, 25.

*Brogue makers*. Vid. *Wood*, 3.

*Brokers*. Vid. *Usury*, 6.

*Brook, Henry*. Vid. *Rivers*, 36, U.

*Brosney*. Vid. *Rivers*, 14, 17.

*Brothers Children*. Vid. *Administrator*, 6.

*Brownlow, Arthur*. Vid. *Parish Churches*, 12, 13.

*Brownlow, William*. Vid. *Poor-house*, 1.

*Buggery*.



**Buggery.**

40 Car. 1. Sess.  
2. c. 20.

**B**UGGERY, with Mankind or Beast, is Felony, without Clergy, and Loss of Lands and Goods.

Justices of Peace to enquire thereof, as in other Felonies.

**Buildings.** Vid. *Glebes*, 8, 21, 23. *Masons*, 1. *Spiritual Persons*, 6.

**Bullion.**

25 H. 6. c. 10.

**E**VERY Ounce of broken Silver, Bullion, exported by any, except Lords and Messengers, to pay one Shilling Custom.

Vid. *Customs*, 17. *Gold*, 2.

**Bulk-breaking.** Vid. *Customs*, 12, 78. *Isle-man*, 1.

**Bullinery.** Vid. *Parish Churches*, 12.

**Bulls.** Vid. *Bishop*, 7. *Premunire*, 2. *Provisors*, 5, 6, 9.

**Burgesses.** Vid. *Parliament*.

**Burgh, Thomas, Senior.** Vid. *Rivers*, 36, L.

**Burglars.** Vid. *Felony*, 19, 21, 22. *Hue and Cry*, 1.

**Burglary.** Vid. *Clergy*, 6, 11. *Tories*, 1.

**Burials.** Vid. *Papists*, 14.

**Burning Corn in Straw.** Vid. *Corn*, 4, 8.

**Burning Houses, &c.** Vid. *Corn*, 4. *Tories*, 1.

**Burning in the Hand.** Vid. *Bigamy*, 2. *Clergy*, 7, 14. *Felony*, 34.

**Burning Land.** Vid. *Tillage*, 2.

**Burroughs.** Vid. *Borough*.

**Burton, Samuel.** Vid. *Poor-house*, 1. *Rivers*, 36, L. *Trade*, 2.

**Burton, Francis.** Vid. *Rivers*, 36, C.

**Burp, John.** Vid. *Lights*, 1.

**Butcher.**

31 E. 1. c. 7.  
Eng. *Incerti*  
*semporis, poul.*  
110.

**A** Butcher selling Swines Flesh meazled or dead of the Murrain, to be amerced for the first Offence, for the Second to be pillored, for the Third to be imprisoned, the Fourth to abjure the Town.

4 H. 7. c. 3. Eng.

Butchers shall not kill any Flesh in a Scalding-house, nor any Cattle within any walled Town, on pain of forfeiting 1 s. for an Ox, and 8 d. for other Beasts.

2 An. Sess. 1. c.  
15.

No Butcher shall be a Grazier, nor keep any Land in Possession on or in Trust for him, exceeding 20 Acres, for fatning any Cattle, on pain that he and his Trustee shall forfeit 20 l. per Month; nor shall keep any Oxen, &c. at Hay exceeding 10 Days, on pain of forfeiting the same.

No Butcher in *Dublin*, or within 5 Miles thereof, to sell Cattle to any other Butcher, dead or alive, on pain of double the Value.

## Butcher.

41

No Butcher to sell any Cattle, Calves, Sheep, or Lambs alive, within 20 Miles of the Place where he bought them; nor shall any Person sell any Cattle in the same Fair, &c. the same Day where the same were bought, on Pain of forfeiting the Value in both Cases.

No Butcher to gash or cut any Hide in slaying, on pain of 1 s. 8 d. the said Offences may be determined in Sessions, but to be prosecuted in 6 Months, a Moiety of the Forfeiture to be estreated into the *Exchequer*, and to issue Execution for the Informer's Moiety.

Answers to Informations on this Act, to be upon Oath; no Plea or Demurrer to be allowed, but treble Costs to be given in Vexatious Suits, and the general Issue may be pleaded by Persons executing this Act; and this Act is made perpetual by 9 An. c. 7.

Vid. *Lord's-day*, 3. *Merchants*, 14. *Victuals*, 2.

**Butlerabo.** Vid. *Cromabo*.

**Butlerage.** Vid. *Prisage*.

**Butler, James.** Vid. *Ormond*.

**Butler, Lady Elizabeth.** Vid. *Forfeiture*, 9.

**Butler, Humphry.** Vid. *Poor-house*, 1. *Rivers*, 36, U.

**Butler, Lord.** Vid. *Poor-house*, 1.

## Butler of the King.

THE Steward of the House, &c. to give notice how much<sup>25 E. 3. c. 21.</sup>

Wine shall be taken by the Butler in every Port, and the<sup>Eng.</sup> Mayor and Bailiffs to certify the same under their Seal.

The Butler, &c. to take no more Wine than his due, nor no Reward, nor delay any under Colour of his Office, on pain of double Damages.

The King's Butler shall take no more Wine than he is command-<sup>43 E. 3. c. 3.</sup> ed, on pain of Imprisonment.<sup>Eng.</sup>

## Butter.

COOPERS to make Butter Casks of dry Wood, a Firkin to<sup>10 Gul. 3. Sess.</sup> contain half the long hundred Neat, the Cask to weigh 10 l.<sup>2. c. 2.</sup>

and contain 7 Gallons; the Barrel, half Barrel, and three Quarter Cask, to contain, weigh, and measure in Proportion; and each to have 3 Hoops on each Quarter, and 2 Heads.

Said Casks to be mark'd on the ¶ Sides, with the Cooper's Name ¶<sup>Post. 4.</sup> and Place of Abode, and with the Owner's Name when filled with Butter; and Farmers, &c. to use no other Sort of Casks; Offenders (if prosecuted within 3 Months) to forfeit 10 s. per hundred to the Poor, and the general Issue pleadable hereon.

F

No



6. An. c. 12.

No Person to sell a Cask of Butter without the Tare mark'd thereon, the Buyer suspecting the Tare, may strip such Cask in Presence of the Seller, and the Butter to be forfeited to the Buyer if the Cask weighs 1 l.  $\frac{1}{2}$  in the half hundred (and so in Proportion) more than the Tare mark'd.

2 Geo. I. c. 16.

By this Act, the Tare of Butter and Tallow Casks is to be mark'd on the Sides and Bottom, on pain of forfeiting the Butter, (and 10 s. for every 100 Weight of Tallow to the Informer and Poor) one Moiety to the Buyer and the other to the Poor, and the Seller to forfeit one Shilling per Pound, the Cask weighs above the Tare; and the Buyer refusing to accept the Tare being Just, or desiring a greater Allowance, to forfeit 10 l. *post* 8.

No Cask to be sold that does not hold Pickle, and a Clause in this Act relating to the Dimensions of Casks, is repealed by the next subsequent Act.

None to mix old with new Butter, or use Bay Salt, on pain of 10 s. per Cent. so made up; the chief Magistrates and Grand-Juries to inspect into, and seize all Butter made or pack'd contrary to this Act.

Butter and Tallow intended to be exported not having the Tare, shall be forfeited to any Person seizing the same; Officers of the Revenue not to suffer Casks not branded to be shipped, and Persons mixing unwarantable Tallow, to forfeit 10 s. per 100 Weight to the Informer and Poor.

4 Geo. I. c. 12.

Persons buying or selling Butter at any greater or lesser Tare, or that shall give or take any greater Allowance more than branded on the Cask, to forfeit 10 l. *ante*. 4.

Justices of Peace may compel the Parties to discover upon Oath any private Contract relating thereto, and those refusing, to forfeit 10 l.

Casks seized and not claimed in 21 Days, the Magistrates may dispose thereof.

The Chief Magistrates, &c. and Grand-Juries, to inspect into, and seize all Casks exposed to Sale, or to be exported, *as above in 6.*

10 Geo. I. c. 9.

A Weigh-Master giving Security for the faithful Execution of his Office, to be appointed in all Cities, &c. by the Chief Magistrates and Aldermen, &c. and in Places of Export and Market Towns not incorporated, ¶ (*Dublin and Cork excepted*) by the Justices in Sessions, and to be removed upon Conviction of Misbehaviour, but he may Appeal to the Justices of Assize next Circuit.

¶ *post*. 18.

*See his Oath in the Statute at large.*

Weigh-Masters to provide convenient Weigh-Houses and Beams, and Scales at his own Charge, to be approved of by the Magistrates, he or his Deputy to attend daily from 6 to 12 in the Forenoon,

noon, and from 2 to 6 in the Afternoon in Summer, and in Winter, 2 Hours shorter in each, to weigh Butter, Tallow, and empty Casks.

- 4 No empty Cask for Butter to be bought, unless it be of seasoned <sup>post. 21.</sup> Oak, Ash, or Sycamore, (no Bog Timber) and the same to be weighed and branded by the Weigh Master, who is to allow  $\text{¶}$  2 *l.* <sup>post. 22.</sup> per Firkin for Soakage, and so in Proportion, the half hundred Cask to weigh 10 *l.* and so in Proportion, and to be branded on the Cask, together with his own Name and Place where weighed, the Buyer, Seller, and Magistrate acting contrary to this, to forfeit 5 *s.* and the Weigh-Masters 10 *s.* for a false Mark.
- 5 Tallow Casks before filling, to be weighed and marked as above, on pain of 10 *s.* per Cask.
- 16 Butter and Tallow Casks before Sale or Exportation, to be tried by the Weigh-Master, and if not made up according to Law, to be forfeited; the Magistrate may  $\text{¶}$  Summon and Examine two <sup>post. 20.</sup> able Merchants to that Purpose, and if found good, to be marked and weighed with the Gross, Weight, Master's Name, and Place where.
- 17 Weigh-Master not attending, to forfeit 5 *l.* recoverable by civil Bill at the next Assizes, &c. and Persons counterfeiting the Brand, to forfeit 10 *l.*
- 18 Butter and Tallow, attempted to be exported, not marked and branded, to be forfeited, and may be seized by the Weigh-Master, or Deputy. *Edward Knap*, and *Edward Hoar* made Weigh-Masters for Cork, subject to the Regulations aforesaid, and the City of *Dublin* may appoint a Weigh-Master in like Manner. See the Continuance of this Act, <sup>post. 26.</sup>
- 19 Every Tallow Cask to have 12 Hoops, and be branded with the <sup>12 Geo. I. c. 5.</sup> Name of the Owner and Place of Abode, on pain of 5 *s.* per Cask, from the Buyer, Seller, or Exporter; and Butter or Tallow made up in Casks contrary to this Statute, to be forfeited.
- 20 Second-hand Tallow and Butter Casks, to be branded and marked a new on pain of 10 *s.*
- 20 The Chief Magistrate, on Complaint of unmerchantable Butter or Tallow, may summon the Parties concerned, and on his Non-Appearance, in 10 Days may proceed as in 16 *ante.* Merchants summoned neglecting to appear, to forfeit 10 *s.*
- 21 By this Act, Butter Casks may be made of Beech, Birch, Wil- <sup>ante. 14.</sup> low or Sally.
- 22 No empty Casks for Butter to be bought or sold, that contains less than half a Hundred, or more than 300 of neat Butters, the Master to mark the Tare, and allow 4 *l.* per Hundred Soakage.



**Butter.**

Coopers to mark their Names, and Place of Abode on the Casks, on pain of 5 s.

The Weigh Master to use Figures, and not numeral Letters in marking the Tare, on pain of 5 s. per Cask.

Persons concerned or employed in the Weighing, not to buy or sell any Butter or Tallow there, on pain of 20 s. per Cask.

No Replevin to lie for any Cask to be tryed or condemned by this Act, and the general Issue may be pleaded, none who keeps an Ale-house to be Weigh-Master.

The above last Act of 12 Geo. 1. c. 5. was continued by 1 Geo. 2. c. 17. to the 25th. of March, 1730. And both the said Acts of the 10 Geo. 1. c. 9. and 12 Geo. 1. c. 5. are continued by 5 Geo. 2. c. 6. for 7 Years from the end of that Parliament, and no longer.

Vid. Fees, 39.

**Butter and Cheese.**

3 H. 6. c. 3.  
Eng.

**T**HE Lord Chancellor may grant Licence, to convey Butter and Cheese to any other Place besides the Staple, which was then at Calais.

18 H. 6. c. 3.  
Eng.  
Vid. Cattle, 2.  
Cont.

Butter and Cheese may be conveyed to any Place out of the Realm, being in the King's Amity.

Vid. Cattle, 2.

**Buying of Titles.** Vid. Maintenance, 3.

**Buying and Selling.** Vid. Earnest, 1, 3.

**Bye-Laws.** Vid. Ballast, 1. Coaches, 13, 23. Earnest, 1. Killenny, 2. Poor-house, 5. Rivers, 69. Vagabonds, 22.

**Chirulton.** Vid. Parish Churches, 19.

**Cain.** Ibid. 31.

**Calender.** Vid. House of Correction, 14. Sheriffs, 21.

**Calf Fells.** Vid. Cloath, 4.

**Callicoes.** Vid. East-India Goods, 1. Linen Manufacture, 69.

**Calling to the Bar.** Vid. Barister, 2. Papists, 69.

**Calves.** Vid. Butcher, 5. Felony, 26, 27.

**Candidates.** Vid. Parliament, 32, 35, 37, 38.

**Candles.** Vid. Wax, 1.

**Cant.** Vid. Auction, Ballast, 9. Wooll, 29.

**Canvas.** Vid. Linen Manufacture, 4, 20, Wooll, 3.

**Capacity.** Vid. Ability.

**Capias.** Vid. Judicial Proceedings, 2, 3. Riot, 6.

**Capias ad Satisfaciendum.** Vid. Error, 9.

**Capias Utlagatum.** Vid. Arrest, 5. Proclamation, 5.

**Cappavarropp.** Vid. Parish Churches, 32.

**Captains**

## Captains and Soldiers.

45

**C**OVENANT of such as serve the King in his Wars, or <sup>5 R. 2. c. 10.</sup> <sup>Eng.</sup> Embassadors, to be recorded in the *Exchequer*.

'Tis Felony for a Soldier retained in the King's Service to de- <sup>18 H. 6. c. 19.</sup> part without Licence, and Officers to Arrest such Soldiers tra- <sup>Eng.</sup> velling, without Letters Testimonial, Justices of Peace to hear and determine such.

Captains not having their full Number of Soldiers, or that do <sup>7 H. 7. c. 1.</sup> not pay them their due Wages, to forfeit all his Goods, &c. and <sup>Eng.</sup> to be imprisoned.

'Tis Felony without Clergy for a Soldier to depart his Colours without Licence, and to be tried by the Justices of the Peace, in the County where the Soldier is taken.

N. B. *It was doubted whether this Stat. survived H. 7. but See 6. co. 27. a. where Soldiers in the 23. El. were executed thereon, and the Opinion of all the Judges that 'tis perpetual.*

No Earl &c. or pretended Captain without Patent to take up- <sup>11 El. Sess. 3. c.</sup> on them the Name of Captain or Ruler of any Country, nor lead 7. Men to make War or Peace, &c. on any offensive or Invasive Act, without Authority, on pain of 100 l.

**Cards.** Vid. *Drapery*, 10. *Gaming*, 1. *Rivers*, 47.

**Carlingford.** Vid. *Wine*, 2.

**Carnal Knowledge.** Vid. *Felony*, 25.

**Carpenters.** Vid. *Servants*, 3.

**Carpets.** Vid. *Drapery*, 17.

**Carriages.** Vid. *Customs*, 23. *Highways*, 2, 3. *Militia*, 4. *Soldiers*, 6. &c.

**Carmen.** Vid. *Customs*, 23.

**Carrickfergus.** Vid. *Wine*, 2.

**Carrowgallen.** Vid. *Parish Churches*, 23.

**Carrs.** Vid. *Coaches*, 9, 10, 11. *Dublin*, 14. *Poor-house*, 29. *Soldiers*, 6. &c.

**Carrs, Kings-end.** Vid. *Coaches*, 22, *Dublin*, 14.

**Carter, Thomas.** Vid. *Poor-house*, 1. *Rivers*, 36, *M.*

**Carts and Carriages.** Vid. *Coaches*, 11. *Dublin*, 14.

**Carriers.** Vid. *Wooll*, 15.

**Casses.** Vid. *Highways*, 5.

**Casks.** Vid. *Butter*, 1, &c.

**Castlebar.** Vid. *Parish Churches*, 6.

**Castlebellingham.** Vid. *Parish Churches*, 35.

**Castleblakney.** *ibid.* 32.

**Castle of Dublin.** Vid. *Dublin Castle*.

Castles



Mag. Chart. c.  
19. Eng.

**N**O Constable of a Castle to take Provision of a Stranger, without Money.

ibid. c. 20.

A Knight to be free from Castle Guard.

3 E. 1. c. 7.

No Castellain shall exact any Thing from any, but such as reside in their Town or Castle.

Eng. west. 1.

*Obsolete.*

**Castlemartir.** Vid. *Parish Churches*, 19.

**Castlereagh.** *ibid.* 15.

**Cat.** Vid. *Wreck*, 1.

**Cathedral Churches.** Vid. *Glebes*, 6. *Heartb-Money*, 14.

### Cattle.

18 Car. 2. c. 2.  
Eng.

**N**O Cattle, Sheep, Swine, Pork, Beef or Bacon, (except for the Ships Provisions) to be imported from *Ireland*, &c. into *England*, *Wales*, &c. on pain of forfeiting the same, and Constables, &c. may seize the same. *This was temporary and did expire, but is revived and made Perpetual, by 32 Car. 2. c. 2. Eng.*

20 Car. 2. c. 7.  
Eng.

Any Inhabitant where the same is imported, may within one Year after seize the same; and likewise Mutton and Lamb. Butter and Cheese is forfeited, and the Ship, &c. and the Crew to be imprisoned for 3 Months.

9 An. c. 11.

The Baronies of *Muckillin* and *Ballynahinch*, and Territory of *Ereconnaught* in the County of *Galway*, to make Satisfaction for Cattle maimed, &c. there.

Maiming or destroying Cattle is made Felony, but not to extend to the gelding of Stone Horses, going at large.

2 Geo. 1 c. 22.

By this Act maiming of any Cattle is made Felony without Clergy, and the Grand-Juries may raise 10 l. as a Reward to the Discoverer of such Offenders.

Vid. *Butcher*, 2, 4, 5. *Distress*, 1. *Earnest*, 1. *Markets*, 1. *Merchants*, 12, 13, 14. *Toll*, 4. *Tories*, 1.

**Catherlough.** Vid. *Wears*, 3.

**Cawseps.** Vid. *Bridges*, 1.

**Cause of Bail.** Vid. *Bail*, 12.

**Cellars.** Vid. *Coals*, 2.

**Censures.** Vid. *Uniformity*, 4.

**Ceremony.** Vid. *Bishops*, 7.

**Certificate.** Vid. *Bastardy*, 2, 3. *Clergy*, 5, 15. *Constable*, 2. *Costs*, 9. *Fees*, 7. *Felony*, 13, 14, 19, 28, 33, 53. *Glebes*, 13. *Linen Manufacture*, 10. *Marriages*, 7. *Oaths*, 13, 19. *Papists*, 22, 33, 46. *Quakers*, 14. *Recognizance and Statutes*, 20. *Register*, 6, 18. *Riot*, 2. *Ships*, 14, 27. *Spiritual Persons*, 6, 12, 16, 20. *Solicitors*, 23. *Trial*, 5. *Uniformity*, 17.

Certificate

## Certificate Goods.

47

1 **M**ASTERS of Ships carrying Certificate Goods to *Ireland*, 8 *An. c. 13.*  
shall take from the Collector of the Port in *Great-Britain*, a Du-<sup>Sect. 19. Eng.</sup>  
plicate of his Content, and shall deliver the same to the Officers in  
*Ireland* before he be permitted to land such Goods.

2 No Bond for Exportation of Certificate Goods to *Ireland* shall be, 5 *Geo. 1. c. 11.*  
delivered up, or Draw-back allowed, till a Certificate be produced <sup>Sect. 5. Eng.</sup>  
from the Collector, &c. of the Port where the Goods were landed.

3 This last Act is continued to the 29th September 1734, by 2 *Geo. 2.*  
*c. 28. Eng.*

Vid. *Customs*, 8, 31, 32, 87, 88. *Wool*, 20.

## Certiorari.

1 **N**O *Certiorari* to remove an Indictment from Assizes or Sessions at 8 *An. c. 5.*  
the Prosecution of the Defendant to be granted in Term Time,  
but on Motion of Council on Affidavit, and to find Bail in 20*l.* to  
plead to the Indictment, and at Defendants Charge, to procure the  
Issue to be tried in the County next Assizes, and on Default the Ju-  
stices of Assize or the Sessions may proceed.

2 The Court may award Taxed Costs to the Prosecutor on Convicti-  
on of the Defendant.

4 But in Vacation it may be granted, the Party Indicted finding such  
Bail before Allowance.

4 Indictments relating to the High-way, if the Title to Repair them  
come in Question, may be moved giving Bail as aforesaid. *This Act*  
*is made perpetual by* 4 *Geo. 1. c. 9.*

Vid. *Dublin*, 5. *Habeas Corpus*, 1, 2. *Poor-House*, 17, *Superfedeas per*  
*Tot. Tories*, 11. *Tythes*, 14.

## Cessavit.

1 **T**HE Lessor shall have a *Cessavit*, and Recover the Lands against 6 *E. 1. c. 4.*  
his Fee-Farmer that owes 2 Years Rent in Arrear. *Eng. Glouc.*

2 The Lord may have the same against his Free-hold Tenant owing 2 13 *E. 1. c. 21.*  
Years Rent, and is maintainable by the Heir of the Demandant against *Eng. West. 2.*  
the Heir or Assignee of the Tenant.

Vid. *Contra formam Collationis*, 2.

**Cestui q; use.** Vid. *Use*, 4, 5, 6.

**Cest q; vie.** Vid. *Estate for Life*, 1. *Rent*, 3.

**Chairs.** Vid. *Coaches per Tot.*

**Chaigneau, David.** Vid. *Poor-house*, 1.

**Chalk.** Vid. *Linen Manufacture*, 34.

## Challenge.

1 **I**F one challenge a Juror for the King, he shall forthwith assign 33 *E. 1. Eng.*  
the Cause. *Stat. de Inqui-*

No *sitione.*



**Challenge.**

25 E. 3. c. 3. No Indictor shall pass upon an Enquest, if challenged by the Party 2  
Eng. Indicted.

5 E. 4. c. 1. Persons sued by *Feoffees* to Uses, may have the same Challenge a- 3  
gainst Jurors, Sheriff, &c. as if sued by the *Feoffors*.

33 H. 8. Sess. 1. Consanguinity or Affinity not being within the fifth Degree be- 4  
c. 4. twixt the Juror or his Wife, and Parties or Sheriff, &c. shall be no  
principal Challenge.

10 & 11 Car. 1. No peremptory Challenge in Treason or Felony allowed above the 5  
Sess. 4. c. 9. Number of 20 Jurors, and Justices trying Prisoners challenging above  
that Number, to proceed to Judgment.

6 Ann. c. 6. On Tryal of any Papist on the Breach of any Statutes, for Offen- 6  
ces committed by Papists, another Papist on the Jury may be Chal-  
lenged, and a good Cause.

Vid. *Affize*, 13. *Clergy*, 6, 12. *Estates for Lives*, 2. *Partition*, 24.  
*Sheriff*, 14, 58. *Women*, 8.

**Champerty.**

3 E. 1. c. 25. NO Officer of the King to maintain Plea of Lands or other thing 1  
Eng. West. 1. to have Part thereof.

13 E. 1. c. 49. No Person to take any Church Advowson, Lands or Tenements 2  
Eng. West. 2. by *Champerty*, on Pain of both Buyer and Seller to be punished.

20 or 21 E. 1. Persons attainted of *Champerty*, to suffer 3 Years Imprisonment 3  
made at Ber- and be fined.

wick. None shall take upon him a Business in Suit with Intent to have Part 4  
28 E. 1. c. 11. thereof, nor shall any on such Covenant give up his Right to another ;  
Eng. Art. Sup. the Taker to forfeit so much of his own Lands or Goods.  
Chart.

33 E. 1. Anno Such as move Plea or Suit, or cause them to be moved, and prose- 5  
D. 1304. Eng. cuted at their own Charge, to have Part of the Thing in Variance,  
shall be *Champertors*.

33 E. 1. 1305. No Pleaders, Attornies, &c. to take a Suit for *Champerty* on Pain 6  
Eng. of 3 Years Imprisonment and Fine (See the Form of the Writ here.)

Vid. *Actions popular*, 6. *Confirmation*, 9. *Nisi prius*, 3.

**Chancellor, Lord.** Vid. *Commission*, 2. *Error*, 2, 3, 16. *Executi-*  
*on of Statutes*. *Fees*, 30. *First Fruits*, 2, 16, 20. *Justices of Affize*,  
3. *Justices of Peace*, 7. *Officers*, 1, 7. *Poor-House*, 1. *Riot*, 6. *Ri-*  
*vers*, 36, 69. *Rome*, 17. *Solicitors*, 14, 18. *Treason*, 1.

**Chancellor of the Exchequer.** Vid. *Affidavit*, 1. *Commission*, 4.  
*Escheators*, 1. *Poor-House*, 1.

**Chancery.**

28 E. 1. c. 5. THE Chancellor and the Justices of his Bench shall follow the 1  
Eng. Art. Sup. King, that he may have Learned Persons near him.  
Chart.

36 E. 3. c. 9. Persons aggrieved by any Statute, shall have Remedy in *Chancery*. 2  
Eng. The

The Court of *Chancery* or *Exchequer* may proceed against any, a *1 Geo. 2. c. 17.*  
Trustee only, served with Process to a Sequestration and Decree against him as if he had appeared and answered.

By this Act the above Decree is to be Absolute and not a conditional *5 Geo. 2. c. 4.*  
Decree.

On Affidavit made that such a Defendant is a Trustee only, and that *5. Geo. 2. c. 8.*  
Search was made for him and could not be found, said Courts may decree against him as if duly Served, Answered, and Appeared on the Hearing, provided he is not otherwise than as a Trustee interested.

Where it appears to the *Chancery* or *Exchequer* that any Defendant *7. Geo. 2. c. 14.*  
to any Bill whatsoever has been served with the Process of *Subpœna*, and stands out the Contempt to a Sequestration, the Court may appoint a Six-Clerk or Attorney to appear, and proceed as if the Defendant had actually appeared.

Infants, Ideots, and *Femes Coverts*, have 2 Years from the Service of  
the Decree after Disability removed to shew Cause against it.

Vid. *Ability*, 8, 11. *Accusation*, 9. *Conspiracy*, 1. *Papists*, 20, 44.  
48. *Partition*, 21. *Recognizance*, 3.

**Chandler.** Vid. *Wax*, 1.

**Chaplains.** Vid. *Uniformity*, 15.

**Chappels.** Vid. *Parish Churches*, 50, 59. *Spiritual Persons*, 26.

**Charcoal.** Vid. *Felony*, 56.

**Charge.** Vid. *Education*, 8. *Holidays*, 3. *Maintenance*, 4. *Schools*,  
7. *Wooll*, 31.

**Charitable Uses.** Vid. *Alms-House*, 1.

**Charlemount, Lord.** Vid. *Parish Churches*, 12, 13. *Rivers*, 36.

**Charm.** Vid. *Witchcraft*, 1.

**Charta de foresta.** Vid. *Confirmation*, 4.

**Charters.** Vid. *Confirmation*, 1, 2, 3, 4. *Parish Churches*, 64.

**Chattles.** Vid. *Debt to the King*, 1. *Education*, 1. *Indictments*, 3.  
*Uses*, 3. *Wills*, 3.

**Chelsen.** Vid. *Debentures*, 4.

**Cheats.** Vid. *Markets*, 4, 6.

**Cheese.** Vid. *Butter and Cheese*.

**Chester.** Vid. *Wooll*, 22.

**Chief Magistrate.** Vid. *Coals*, 8. *Felony*, 12. *Wreck*, 12.

**Child-Female.** Vid. *Felony*, 25.

**Children.** Vid. *Ability*, 2, 3, 6, 7, 10. *Administrator*, 5, 6, 7.  
*Conspiracy*, 2. *Education*, 1, 9. *Justice of Peace*, 12. *Papists*, 20,  
24, 27, 28, 44, 47, 68, 69, 70. *Poor*, 1. *Posthumous*, *Schools*, 1.  
*Solicitors*, 2, 23.

**Chimney-Money.** Vid. *Hearth-Money*.

**Chirurgeon General.** Vid. *Poor-House*, 1.



**Christ Church Dean.** *Ibid.*  
**Chocolate.** *Vid. Tea.*

### Churches.

**AN Act** for making more Effectual Provision for building of Churches out of the forfeited Estates in Ireland.

*Vid. Church-yard Distress, 13. Excommunication, 2. Franchises, 1. Glebes per tot. Lords-day, 1. Spirituality, 1. Summons, 1. Swearing, 3.*

**Church Livings.** *Vid. Limitation, 9. Rebellion, &c. 46.*

**Church-town.** *Vid. Parish Churches, 18*

**Church Wardens.** *Vid. Dublin, 9, 44. Fire, 4. Lords-day, 1, 9. Ministers, 2, 3. Officers, 8. Parish Churches, 55, 61, 62. Poor-house, 11. Religion, 5, 7. Watches, 21, 31.*

### Church-Yard.

**PARSONS** of Churches not to cut down Trees growing in the Church-Yard, unless for Repair of the Church or Chancel.  
*Vid. Fairs, 1. Mortmain, 6.*

### Chyrographer.

**THE Chyrographer** to take but four Shillings for a Fine on Pain to forfeit his Office and treble Damages.

**The Chyrographer** to make a Table for every County, of the Contents of every Fine, and fix the same the first Day of the next ensuing Term, on some open Place of the Common-Pleas.

**The Chyrographer** on Pain of 5*l.* to deliver a Content of said Table to the respective Sheriffs of the Counties, who on the like Pain shall fix up the same in the County Court-house the next Assizes. *Vid. Fees, 8.*

**Circuit.** *Vid. Justices of Assizes, 3, 4.*

### Citation.

**HOSPITALERS** and Templars shall draw none into Suit before the Keepers of their Privilege.

No Citation *ex mero officio* for Crimes or Immoralities shall issue out of any Ecclesiastical Court after 2 Years from the Crime, &c.

The voluntary Promoter or Witness applying for such to be examined by the Judge on Oath, and the Examination to be lodged in the Office, and be affixed to the Depositions after Publication, the Promoter failing to prove the Contents of said Examination to pay double Costs.

Persons making Presentments to such Court to be examined as aforesaid, and no Citation to issue thereon, unless the Crime be committed as *ante* 2. and if the Presentment be not proved, the Party to be dismissed without Fees, and the Proceedings are void.

Causes

## Citation.

Causes of Defamation may, on Motion of either Party, be determined in a Summary Way, but not to prejudice the Ordinary in the Course of his Visitation.

Vid. *Administrator*, 9.

**Cities.** Vid. *Customs*, 9. *Dublin*, 21. *Franchises*, 2. *High-ways*, 39. *House of Correction*, 12. *Infection*, 1. *Leases*, 10, 17. *Militia*, 13. *Ministers*, 1. *Prerogative*, 2. *Streets*. *Victuals*, 1.

## Civil Bills.

2 Geo. I. c. 11.

**JUDGES** of Assize may hear and determine in a Summary Way by *English Bill*, all Actions of Debt *assumpsit & in summi computasset*, not exceeding 10 l. and in Trover, *quantum meruit*, Trespass or Detinue, where Title of Lands come not in Question, not exceeding 5 l. the Defendant to have the Benefit of all Defence as in other Courts.

The Judges may award Execution against Body or Goods of Plaintiff or Defendant, returnable the next Assizes, and dismiss such Bill, and allow Costs where equitable.

A Jury may be returned instantly to try any Fact controverted (either in the Original Action or in the Appeal) as the Judge shall think fit, and decree on such Verdict.

A Summons to issue, signed by the Judges or their Clerk, expressing the Parties Names, the Cause of Action, and Place of Appearance, returnable the first or second Day of the Assizes.

Proof to be made of personal Service on the Defendant, 6 Days before the Assizes, or in his Absence, and not being out of the Kingdom, on his Wife, Son, † Daughter, or Servant, of the Age of 16, at his Place of Abode in the same County, and on Default of his Appearance, the Judges to proceed.

† vid. post. 19.

The Court the 4th Day of the Assizes or after, may oblige the Plaintiff to proceed, and on Default and Oath of Service on the Defendant, may dismiss the Defendant with Costs.

None compelled to appear to such Process out of the County he lives in.

Persons refusing to give Testimony on Process *ad Testificandum*, having reasonable Costs tendered, shall forfeit a Sum not exceeding 20 s.

Persons aggrieved may appeal to the next going Judge of Assize, first paying the Costs, and entering into a Recognizance with Security in double the Sum decreed, to pay the same if not relieved, and if the Decree be affirmed, the Appellant to pay double Costs.

Decree on an Appeal is Final and not Reverfable in a Court of Equity.



**Civil-Bills.**

Sheriff to stop executing a Decree, on lodging the Sum decreed with him, and giving Bond of 5*l.* for performing the Decree of the next going Judge of Assize.

This is a Court of Record, no Cost to be taxed for Council if the Demand be not 5*l.* or above, and then 10*s.* if Council appear for Plaintiff or Defendant.

Sheriff, &c. suffering an Escape, to be liable to the Debt.

*Vid. Post. 23.*

Any Decree may be renewed, either of the two next Assizes, for the whole, or the Part unpaid, on Oath that the same remains unpaid; said Order to be renewed from Time to Time till the Money is paid.

Books of said Causes to be deposited with the Clerk of the Crown.

No Attorney, but who is admitted in the *Four-Courts*, pays Commons, and attends every issuable Term, nor no Judge's Clerk to practise in said Causes, on pain of 20*l.* on each of said Persons offending; for every Offence.

Nor no Attorney that is a Justice of Peace in the same County shall practise.

The Quarter-Sessions of the County of *Dublin* has Cognizance and Jurisdiction in said Causes.

*3 Geo. 1. c. 6. Ante 5.*

Service of the said Process upon any Relation living in Defendants House, to be deemed good Service.

*1 Geo. 2. c. 14.*

The Judges of Assize, or the Judges or Council, who, with the Justices of Peace of the County of *Dublin*, hold the General Quarter-Sessions, have Jurisdiction in said Causes, in Debt for 20*l.* on any Specialty for Money only, or Action on the Case on a promissory Note, and Inland Bills of Exchange, in like Manner as *ante*, from 1 to 18, but the Defendant in all Cases above 10*l.* to be served with Process 12 Days before Appearance.

No Decree to be made on any Warrant to confess Judgment, for any Sum determinable by these Acts, unless Process be served on the Parties, as in other Cases.

Sheriffs, neglecting to pay the Parties the Sum levied, to forfeit double that Sum, with Interest.

*Ante 14.*

No Decree to be renewed above twice, without serving Process, or Affidavit that the Party endeavoured to execute such Decree.

*Vid. Bread, 6. Dublin, 22. Fees, 9. Grand-juries, 15.*

**Clandestine Marriages.** *Vid. Marriages, 10, 13.*

**Clanricard, Earl.** *Vid. Forfeited Estates, 20.*

**Clantlew.** *Vid. Parish Churches, 12.*

**Claims and Claimants.** *Vid. Customs, 50, 138. Disseisin, 1 Fine, 6, 7, 17. Forcible Entry, 5. Hollow Blades, 1. Ships, 31 Wreck, 6.*

**Clements**

**Clemens, Nat.** Vid. *Poor-house*, 1.  
**Clemens, Theo.** *Ibid.*

### Clergy.

- 1 **C**LERKS, convict of Felony, and delivered to the Ordinary, <sup>3 E. 1. c. 2. Eng. West. 1.</sup> not to be enlarged without Purgation.
- 2 *Bigamus* shall not be allowed his Clergy (Vid. *Bigamy*, 2. <sup>4 E. 1. c. 5. Eng. St. de Bigamis.</sup> *contra.*)
- 3 Clerks, convict of Felony, (not touching the King himself) to be delivered to the Ordinary. <sup>25 E. 3. c. 4. Eng. Post. 7.</sup>
- 4 Benefit of Clergy shall be allowed but once. Persons convict to be marked with a hot Iron openly before the Judge upon the Brawn of the left Thumb, with an (M) for Murder, and with a (T) for other Felony. <sup>4 H. 7. c. 13. Eng.</sup>
- 5 Clerk in Orders, asking for Clergy, shall shew his Orders, or Ordinary's Certificate.
- 6 Clergy is taken away in Rape, Burglary, Robbery, in a Dwelling-House, Booth, Tent, High-way, Church or Chappel; or stealing a Horse, Mare or Gelding, &c. and Offenders, peremptorily challenging above Twenty, or standing mute in these Crimes, shall receive Judgment. <sup>11, 12 and 13 Jac. 1. c. 3.</sup>
- 7 Such as have Benefit of Clergy not to be delivered to the Ordinary, but may be discharged or continued in Goal after burning in the Hand, not exceeding one Year, for his further Correction.
- 8 Persons, having the Benefit of Clergy, shall, notwithstanding, answer other Felonies.
- 9 A Person Stabbing or Thrusting another that hath not then a Weapon drawn, or hath not stricken first, if the Party die of such Stab, &c. within six Months, tho' the same was not done of Malice, is excluded Benefit of Clergy. <sup>7 Gul. 3. Sess. 1. c. 11.</sup>
- 10 This Act not to extend to a Killing *se defendendo*, nor to Manslaughter in preserving the Peace, if the same be not done under Colour thereof wittingly.
- 11 A Person Robbing another, or feloniously taking away any Goods from a Dwelling house, the Owner, &c. being there, and put in Fear, or rob any Dwelling-house in the Day-time, any Person being there, or break any Dwelling-house, Ware-house, &c. in the Day-time, tho' no Person is there, and take away to the Value of 5 s. or that shall comfort, abett, assist, counsel, or command, any Burglary, shall not have his Clergy. <sup>9 Gul. 3. Sess. 1. c. 32.</sup>
- 12 Persons indicted of Offences, for which former Statutes have taken away Clergy, to be excluded the Benefit thereof, if they stand mute or challenge peremptorily above 20.

Persons



**Clergy.**

Persons indicted in one County, for stealing Goods or Chattles 13  
in any other County, for which Clergy is not allowable there,  
shall be ousted of Clergy.

A Woman to be burned in the Hand, where a Man shall have 14  
his Clergy. (Vid. *Felony*, 29.)

The Clerk of the Crown, &c. at the Request of the Prosecutor, 15  
&c. to certify Clergy allowed to any Person in another County,  
which shall be sufficient Proof. (Vid. *Felony*, 28.)

Persons stealing Cows, Sheep or Cattle, exceeding the Value of 16  
12 d. ousted of Clergy.

This Clause in this Act about the Stealing of Cows, &c. is made 17  
perpetual, by 2 *An. Seff.* 1. c. 12.

9 *An. c. 6.* Persons convict of Felony for which they ought to have Clergy, 18  
shall not be required to read.

Vid. *Bigamy*, 2. *Buggery*, 1. *Cattle*, 5. *Felony*, 25, 26, 28, 29,  
34, 36, 44, 46, 56. *Forgery*, 8. *Rape*, 5. *Servants*, 16. *Wo-*  
*men*, 2.

**Clerk.**

25 *E. 3. c. 5.* **A** Clerk shall be arraigned of all his Offences at once. 1  
*Eng.*

4 *H. 4. c. 3.* A Clerk convict, to make Purgation, according to a Constitu- 2  
*Eng.* tion made by *Simon*, Archbishop of *Canterbury*.

Vid. *Abatement*, 1. *Addition*, 2. *Arrest*, 3. *Felony*, 1, 2. *Judgment*,  
5, 6. *Oaths*, 6. *Officers*, 3. *Residence*, 1. *Solicitors*, 4.

**Clerk of Assize.** Vid. *Civil Bills*, 16.

**Clerk of Chancery.**

18 *E. 3. Eng.* **S**EE the Form of the Oath of a Clerk in Chancery in this Statute. 1  
*de Sacramento*  
*Cler' Canc'* Vid. *Solicitors*, 9, &c.

**Clerk of the Council.** Vid. *Coin*, 21. *Ministers*, 2. *Tories*, 5, 14.

**Clerk, Convict.** Vid. *Clergy*, 1.

**Clerk of the Crown.** Vid. *Civil Bills*, 15. *Clergy*, 15. *Fees*, 10,  
41. *Felony*, 28, 37, 53. *High-ways*, 10, 32. *Trial*, 5.

**Clerk of the Crown in Chancery.** Vid. *Fees*, 11. *Par-*  
*liament*, 47, 48.

**Clerk of the Etreats.** Vid. *Etreats*.

**Clerk of the Faculties.** Vid. *Rome*, 3.

**Clerk of the Hanaper.** Vid. *First Fruits*, 4.

**Clerk of the Market.**

13 *R. 2. c. 4.* **C**LERK of the Market of the King's House, to cause all 1  
*Eng.* false Weights and Measures to be burnt.

## Clerk of the Market.

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2 Clerks of the Market to have Weights and Measures with them when they make Essay of Weights, &c. marked according to the Standard of the *Exchequer*. 16 R. 2. c. 3. Eng.

Vid. *Measures*, 3, 11.

**Clerk of the Outlawries.** Vid. *Proclamation*, 4, 5.

**Clerk of the Peace.** Vid. *Fees*, 12, 41. *Felony*, 28, 53. *Hearth-Money*, 8. *High-ways*, 10. *Hae-and-Cry*, 2. *Inrolment*, 1. *Justice of Peace*, 3. *Sheriff*, 38, 52. *Vagabonds*, 16.

**Clerk of the Pipe.** Vid. *Exchequer*, 3, 7.

**Clerk of the Recognizance.** Vid. *Fees*, 13. *Recognizance*, 16.

**Clerk of the Remembrancer.** Vid. *Exchequer*, 3.

**Clipped Money.** Vid. *Coin*, 1, 8, 12.

## Cloath.

1 NO Cloath made beyond Sea to be brought into the King's Dominions, on pain of Forfeiture. 11 E. 3. c. 3. Eng. & 4 E. 4. c. 1. Eng.

2 Aliens, that are Clothiers, shall have the King's Protection to dwell where they please, and have convenient Franchises granted to them. 11 E. 3. c. 5. Eng.

3 All Cloath vendible, shall be measured by the King's Alnager. 25 E. 3. Stat. 4. c. 1. Eng.

4 None but Merchants inhabiting in the Staple Cities, Towns and Borroughs, their Factors or Agents shall transport any Cloath or Stuff, &c. out of the Kingdom. 13 El. Sess. 5. c. 1.

No Freeman of the said Places, unless a Merchant, shall transport any Cloath, &c. on pain of Forfeiture, if seized, or, if not seized, double the Value thereof.

5 And Persons, not being free of such Places, and not being Merchants, to forfeit treble the Value, as above.

6 Said Forfeiture to be sued for before the ordinary Judges of the Cities or Boroughs, or Superior Courts, at the Election of the Prosecutor.

7 The Governors of the Kingdom not to dispense with this Act.

8 Persons and Places free from Custom to the Queen, to continue so.

9 This Act not to extend to *English* or *Foreigners*, but that they may export Cloath in Exchange of other Commodities, or buy for Money, so that they buy of a Merchant.

10 Not to extend to Lords or Privy-Counsellors, sending Cloaths for their own Necessaries.

Vid. *Aliens*, 7. *Drapery*, per tot. *Fees*, 3.

**Clothiers.** Vid. *Clothiers*.

**Clogher.** Vid. *Poor-house*, 1. *Rivers*, 36, U.

**Clonkeen.** Vid. *Parish Churches*, 33.

Clonmell.



**Cloath.****Clonntell.** Vid. *Corn*, 16. *Highways*, 66.**Clothiers.** Vid. *Cloath*, 2. *Drapery*, 9, 25.**Clopdagh.** Vid. *Rivers*, 22.**Clopn-Burgery.** Vid. *Parish-Churches*, 47.**Clubbs.** Vid. *Artificers*, 1.**Coaches.**1 Geo. 2. c. 26.  
priv.

**T**HE Governors of the Work-House 15 at least, may from May 1728. Licence Hackney Coaches, &c. for 21 Years; the Number of Coaches and Chairs are 200 each, a Coach to pay 5 l. Fine, and 40 s. Rent yearly; and for a Chair, 42 s. Yearly, payable Quarterly to the Governors.

vid. post. 18.

The Licences are transferable to Assigns, Executors, &c. An Entry of every Assignment or Devise, to be kept in a Book without Fee, by the Register of the Work-house, and if not made within 3 Months, the Devisee, &c. to forfeit 5 l.

No Person to drive, &c. such Coaches, &c. without such Licence, on pain of 10 l. for a Coach, and 5 l. for a Chair; no Horse under 14 Hands high to be used, on pain of 40 s.

¶ post. 14.

Coaches and Chairs to be numbered on both Sides, and driving without a Number or changing it, &c. is 40 s. ¶ the said Penalties are recoverable before the Governors in a summary Way, a Moiety to the Informer, and the other to the Corporation; and in case of Insufficiency, to be sent to the House of Correction.

† vid. Poor-house 1.  
post. 20.

Hire of a Coach in *Dublin*, or within 5 Miles, 6 s. 6 d. per diem, and 13 d. per first Hour, 6 d. after, and 6 d. for a Set-down as far as the Lights.

For a Chair 3 s. per diem, 12 d. per first Hour, 6 d. after, and 6 d. a Set-down.

post. 21.

Coachmen, &c. exacting more for Hire, or leaving his Fare, the Owners to forfeit a Sum not exceeding 40 s. recoverable before any Justice of the Peace to the Informer and Corporation.

None to keep above 2 Chairs, on pain of forfeiting his Licence.

Brewers-Drays, Cars, and Carts, and other Cars to be licenced and to be numbered, the Brewers Cars, &c. 20 s. and other Cars, 10 s. per Annum, Rent payable Quarterly or in 20 Days after, on pain of forfeiting the Licence, and to fine before he can Renew.

The Governors may distrain for such Rent, the Proprietors of Cars, &c. to enter their Names, Place of Abode, and Number of his Car, &c. with the Register of the Work-house.

Carts and Cars hired drawing Bricks and Stone for building, to be licenced and pay Rent, and fine on pain of 20 s.

All

## Coaches.

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- 2 All Fines for Licences, and 150*l.* Yearly Rent of the Coaches, and 160*l.* of the Chairs, to be applied to the Work-house, and the rest to the *Blue-coat* Hospital.
  - 3 The Governors, &c. may make By-laws, and annex Penalties not exceeding 40*s.* and other Punishments.
  - 4 The By-laws to be approved of by the Lord Chancellor, &c. *ante. 4.* and to be printed and posted on the *Tholsel*, &c. Penalties and Forfeitures recoverable before any Justice of Peace, &c.
  - 5 Not to extend to a Stage-Coach, or one hired for a Journey.
  - 6 Persons not being a Peer, refusing or neglecting to pay the just Fare, or breaking, &c. A Coach, &c. to be summon'd by any Justice of Peace, &c. and award Satisfaction, and on refusal to bind him to the Quarter-Sessions, where the Matter may be finally determined, and Execution awarded.
  - 7 Money not already disposed of, vested in the Governors.
  - 8 None to assign a Licence for a Chair without consent of 5 of 3 *Geo. 2. c. 17.* the Assistants, on pain of forfeiting the same, and the Assignment to be void, *ante. 2.*
  - 9 A Penalty of 5*l.* was imposed upon Persons who took out a Licence for a Coach, and had none, unless they put up the Coach before the 25th. *March, 1730.*
  - 10 A Coach sent for after ten at Night to have 9*d.* a Set-down, *ante. 5.* 15*d.* per first Hour, and 9*d.* after for waiting.
  - 11 All Complaints by Coachmen, and Chairmen, against Persons for 5 *Geo. 2. c. 14.* Hire, &c. shall be heard, and determined by 5, &c. of the Court *vid. ante. 7. 16.* of Assistants of the Work-house.
  - 12 Ring's-end Cars, shall pay 30*s.* for a Licence, and 10*s.* Yearly; and shall be numbred on pain of 40*s.* each, payable to the Governors, and subject to the same Rules as Coaches, &c.
  - 13 The Governors to ascertain by a By-Law, the Fare of Ring's-end Cars, in and within 7 Miles of *Dublin*, and of Coaches within 3 Miles.
- Vid. Rivers, 41. &c. for the Duty on Coaches.*

## Coals.

- 1 THE Lord Mayor of *Dublin* may cause Gabbards loaden with 2 *An. Sess. 2.* Coals to be brought up to the publick Key, and be sold at c. 8. *vid. post. 6.* the fairest Price.
- 2 The Lord Mayor, &c. may, in the Day time, go into Cellars where Coals lie for Sale in Quantities, and order the same to be sold at such a Rate as they shall think fit.

H

Persons



## Coals.

Persons refusing Entrance, to forfeit  $\text{5} \text{ l.}$  Persons refusing to sell such Coals at said Rate, the Lord Mayor, &c. may appoint them to be sold, and the Money to be paid to the Owners, &c.

The Party aggrieved by such Rates may appeal to the Council:

*This Act is made perpetual by 6 An. c. 12.*

9 An. c. 6. Coals of *Wales*, or West of *England*, shipped for *Ireland*, &c. to pay one Shilling per Cauldron, *Newcastle* Coals,  $8 \text{ d.}$  per Tun, &c. and Security to be given for Landing, &c.

Sect. 5. and 6. Eng.

By the 11 An. c. 4. Expired several Clauses in the above Act of the 2d. An. relating to the Time Coals are to be kept on Board, and whereby the Owner, &c. were to sell them in 8 Days, are repealed.

1 Geo. 2. c. 21. Persons or Bodies Politick, combining to enhance the Price of Coals, to forfeit  $\text{50} \text{ l.}$  to be recover'd in the *Four-Courts*, wherein no Protection, &c. is allowed.

The half Barrel for measuring Coals shall be sealed, and be 24 Inches Diameter in the Bottom, and 25 and  $\frac{1}{2}$  in Top, and contain 20 Gallons *Winchester* Measure, and every other Measure in Proportion, on pain of forfeiting all the Coals sold, and double the Value.

No Information, &c. on this Act after six Months, the general Issue may be pleaded on executing this Act, and treble Costs given thereon.

Vid. *Felony*, 56. *Servants*, 18.

**Coasting Vessels.** Vid. *Ballast*, 8. *Customs*, 8, 30, 87, 88. *Edi-*  
*tion*, 1.

**Cockets.** Vid. *Wooll*, 20.

**Cocks of Corn.** Vid. *Corn*, 4. *Distress*, 20.

**Cock-fighting.** Vid. *Gaming*, 1.

**Cock and Hen of the Wood.** *There was a Clause in 11. An. c. 7. Exp. against killing them.*

**Codicil.** Vid. *Will*, 9.

**Coffee.** Vid. *Tea*.

**Coghil, James.** Vid. *Poor-house*, 1.

**Coghil, Marm.** *ibid.* *Rivers*, 36. *L.*

## Coin.

20 E. 1. Eng.

**M**ERCHANTS prohibited from trafficking with Money, and importing clipt Coin on pain of Forfeiture.

9 E. 3. c. 1. Eng.

Gold or Silver Plate or Coin, not to be exported without Licence on pain of Forfeiture, search to be made for false Coin imported.

25 E. 3. c. 12. Eng.

None to exchange Gold for Silver, or Silver for Gold to make Profit thereof, on pain of forfeiting the Money.

Money

## Coin.

59

Money not to be impaired in Weight or Allay.

25 E. 3. c. 13.  
Eng.

No Coin to be current but the King's own, and any Person may refuse foreign Coin.

27 E. 3. c. 14.  
Eng. vid. post.

Foreign Coin not to be current in *England*, but to be melted down; nor no Sterling Money to be melted, to be made into Vessels, on pain of Forfeiture and Imprisonment.

21.  
17 R. 2. c. 1.  
Eng.

Coin, or Plate, found in the Custody of Persons ready to pass the Seas, or in any Ship, to be forfeited to the King.

2 H. 4. c. 5.  
Eng.

This Statute first made the filing, or clipping of Money, Treason.

3 H. 5. c. 6.  
Eng. post. 15.

Gold to be received in Payment by the King's Weight.

9 H. 5. c. 11.  
Eng.

Mint-Master to keep to his Assay, and receive Silver at the true Value, on pain of double Damages.

2 H. 6. c. 12.  
Eng.

Coin transported to *Ireland*, above 6 s. 8 d. or *Irish* Coin imported, above 3 s. and 4 d. to be forfeited.

19 H. 7. c. 5.  
Eng.

Clipped Money may be refused in Payment, and not be deemed the King's.

3 E. 4. c. 3.

Forging, &c. Gold or Silver not being the Coin of the Nation, made Misprision of Treason.

28 El. c. 6.

None except those employed in the Mint, shall make, &c. any Punchion, &c. or other Instrument for making of Money or other current Coin, nor buy, sell, or conceal, or have in his House or Possession, any Tool, &c. aforesaid, on pain of High-Treason; and his Aiders, and Abettors also: And any Person may seize the same.

8 An. c. 6.

Persons conveying out of the Mint, or bringing into the Kingdom such Tools, &c. without lawful Authority, their Aiders and Abettors, guilty of High-Treason.

Persons counterfeiting the Queen's Coin, or other Coin current, or colouring, or gilding the same, their Aiders and Abettors guilty of High-Treason, (Vid. *Treason*, 1.)

ante. 8.

Counterfeit Money produced in Evidence, shall be cut in Pieces in open Court.

To blanch Copper for Sale, or mix it with Silver, or buy, sell, or offer to Sale, any malleable Composition or mixture of Metals, or Minerals heavier than Silver, and look, touch, and wear like Standard Gold (but being worse than Standard) or receive Pay, or put off Counterfeit milled Money at a lower Rate than it imports, is made Felony without Clergy, but no Corruption of Blood.

Persons to whom suspected pieces of Gold, &c. is tendered, may cut the same, and if bad, 'tis the Tenderer's Loss, if good, his own,



and the Dispute to be determined by the Chief Officer or Justice of Peace, not being in a Town corporate.

Officers of the Revenue to cut counterfeit Money, tendered to them to the use of the Crown.

The printed Proclamation attested by the Clerk of the Council, declaring the Currency of foreign Coin, and the Value thereof to be Evidence, as if the Original under the great Seal was produced.

Prosecutions on this Act to be made in six Months, and not after.

4 Geo. 1. c. 9. By this Act the above is made perpetual, being temporary before.

**Coiners.** Vid. *Coin*, 14, 16, 18.

**Colclough, Cesar.** Vid. *Poor-house*, 1. *Rivers*, 36. L.

**Colerain.** Vid. *Linen Manufacture*, 18. *Rivers*, 32.

**Colegan.** Vid. *Rivers*, 27.

**Collateral Security.** Vid. *Papists*, 57.

**Collation.** Vid. *Adowson*, per tot. *Bishop*, 6. *Provisor*, 2, 9.

### Collector.

18 H. 6. c. 5. **N**ONE appointed Collector of a Fifteen, in a City or Burrough, shall be Collector in the same County, unless worth 5 l. per Annum in Lands, *ultra repris*.

9 Gul. 3. Sess. 1. cap. 31. Acquittances of Collectors for Quit-Rent, &c. good in Law against the King, and to be writ on Parchment, mentioning the Gales, Land, and on what Account paid.

Persons charged with the Payment of several distinct Sums, in respect of several Parcels of Lands, to have one Acquittance only. Said Acquittances to be entered in a Book, in the Parties Presence, and signed by him, and said Books to be yearly returned to the Auditor General's Office.

Vid. *Ale-house*, 5. *Certificate Goods*, 1. *Corn*, 10. *Customs*, per tot. *Exchequer*, 1. *Fees*, 14, 15. *Felony*, 19, 20, 21. *Fish*, 9. *Hearth-Money*, 9. *Linen Manufacture*, 21. *Oaths*, 22. *Papists*, 61. *Poor-house*, 8. *Rivers*, 42, 43, 53.

**Colleges.** Vid. *Pious Uses*, 1. *Uniformity*, 20.

**Collusion.** Vid. *Actions Popular*, 2. *Amerciament*, 9.

**Commanders.** Vid. *Customs*, 20, 30.

**Combers.** Vid. *Wooll*, 43.

**Combination.** Vid. *Artificers*, 1, 2. *Coals*, 7.

**Commendam.** Vid. *Provisors*, 9.

**Commissaries.** Vid. *Official*.

### Commissioners

## Commissioners and Commission.

61

**C**OMMISSION of Enquiries, shall be made to the Justices <sup>42 B. 3. c. 4.</sup> of the one Bench or the other, Justices of Assize and Peace <sup>Eng.</sup> with others in the Country.

Persons distrained by Writ from the *Exchequer*, for not return- <sup>4 H. 4. c. 9.</sup> ing Commissions which never came to their Hands, relievable by <sup>Eng.</sup> the Chancellor.

Commissioners not receiving a Commission to be discharged there- <sup>7 H. 4. c. 11.</sup> of upon Oath. <sup>Eng.</sup>

No Commission to issue, to enquire of Treason, Felony, &c. in <sup>28 H. 6. sess. 2.</sup> certain Counties in *Ireland*, without the Chancellor, Treasurer, or <sup>cap. 2.</sup> other Justices, &c. to be inserted and be of the *Quorum*, save the Commission of Justice of Peace.

Vid. *Abatement*, 3. *Affidavit*, 1. *Ale-house*, 2. &c. *Bail*, 9. *Bar-*  
*racks*, 3. *Discontinuance*, 2. *Dublin*, 23. *Esebeators*, 12. *Fees*, 4. *Fine*,  
3. *Partition*, 21. *Piracy*, 1. *Riot*, 4. *Rome*, 16. *St. Patricks*, 2.  
&c. *Spiritual Persons*, 22.

**Commissioners of Appeal.** Vid. *Customs*, 64. *Solicitors*, 28.

**Commissioners of Array.** Vid. *Array*.

**Commission to take Depositions.** Vid. *Solicitor*, 4.

**Commissioners of Excise.** Vid. *Customs*, per tot. *Ships*, 30  
*Wool*, 21. *Solicitors*, 28.

**Commissioners of the First-Fruits.** Vid. *First-Fruits*, 2, 4.  
*Spiritual Persons*, 23, 28.

**Commissioner of the Great Seal.** Vid. *Great Seal*.

**Commissioners of Oyer.** &c. Vid. *Trial*, 6.

**Commission of the Peace.** Vid. *Abatement*, 7. *Justice of Goul-*  
*delivery*, 4. *Justice of Peace*, 3. &c. *Watches*, 2.

**Commission of Valuation.** Vid. *Appropriations*, 4. *Ministers*, 1.

**Commodities.** Vid. *Alliens*, 8.

**Common.** Vid. *Approvement*, 1. *Assize*, 5, 6,

**Common-Law.** Vid. *Action on the Case*, 1. *Constable and Mar-*  
*shal*, 1. *Fine*, 9. *Keeper of the Great Seal*, 1.

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2 And by this Statute, it shall not be holden in the *Exchequer*. <sup>28 E. 1. c. 4.</sup> <sup>Eng.</sup>

Vid. *Adjournment*, 1. *Exchequer*, 9. *Exemplification*, 1. *Fine*, 5.

**Common-Prayer.** Vid. *Book of*.

**Complaints.** Vid. *Coaches*, 21. *Dublin*, 44. *Maintenance*, 4.  
*Sheriff*, 2. *Tythes*, 12.

**Compounders.** Vid. *Customs*, 41, 43.

**Comrick.**



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**Complaints.** Vid. *Coashes*, 21. *Dublin*, 44. *Maintenance*, 4. *Sheriff*, 2. *Tythes*, 12.

**Compounders.** Vid. *Customs*, 41, 43.

Comrick.



18 H. 6. c. 2. **T**O receive and put Thieves, Robbers and Rebels in Safe-guard is, by this Act, made Treason, unless granted by Persons having Authority.

**Concealment.** Vid. *Ale-house*, 5. *Coroner*, 1. *Customs*, 5, 40, 85, 112, 125. *Felony*, 23. *Mortgages*, 2.

**Condemnation.** Vid. *Accusation*, 1.

**Conditions.** Vid. *Tail*, 1. *Uses*, 8.

**Confederacy.** Vid. *Letters Patents*, 4, 5. *Nisi-prius*, 3.

### Confirmation.

52 H. 3. c. 5. **T**HE Great Charter, and that of the Forest, shall be duly observed.  
Eng. Marl. &  
28 E. 1. c. 1.

25 E. 1. c. 1, 2, 3, 4. Eng. The Great Charters are confirmed: Judgments given against them shall be void.

1 E. 3. c. 1. Eng. The Great Charter, and that of the Forest, shall be duly kept, and put in Execution. See this confirmed by 12 other Statutes to the 50 E. 3. & by R. 2. H. 4. & H. 5.

42 E. 3. c. 1. Eng. If any Statute be made contrary to *Magna Charta*, or *Charta de Foresta*, it shall be void.

10 H. 7. c. 8. All the Statutes of *Killkenny*, except such as appoint riding in Saddles, and such as speak of *Irish Language*, are confirmed, and all other Statutes relating to the publick Good, and to be written in 2 Books.

10 H. 7. c. 22. All Statutes made in *England*, to be used and executed in *Ireland*, and † all Statutes to the contrary to be void.  
† Vid. *Gold*, 7.  
cont.

10 Car. 1. Sess. 3. c. 5. All Grants, &c. of Lands, Tythes, &c. which in 1609 devolved to the Crown by Office or otherwise, and which were by Patents, &c. granted to the Archbishop of *Armagh*, are confirmed against the *Herenaughs* and *Corbes*, and against the Crown.

Leases of said Lands, &c. to be made by the Bishops, for 60 Years from said Parliament, to be good.

10 Car. 1. Sess. 3. c. 15. All Statutes heretofore made in *England*, relating to Champerty, Maintenance and Embracery, being now in Force, to be executed in *Ireland*.

Vid. *Customs*, 10. *Leases*, 2.

**Congedessier.** Vid. *Bishop*, 5. *Election of Ecclesiasticks*, 2.

**Congregation.** Vid. *Religion*, 9.

**Conel Robert.** Vid. *Killkenny*, 1.

**Conolly William.** Vid. *Rivers*, 36, L.

**Consideration.** Vid. *Administrator*, 3.

**Consecration.** Vid. *Bishop*, 7. *Uniformity*, 26.

**Conseruator.** Vid. *Admiral*, 4. *Breakers of Leagues*, 1.

**Conspiracy.**

## Conspiracy.

**AGAINST** Conspirators, &c. the King hath provided a Writ in Chancery. 63  
28 E. 1. c. 10.  
Eng. Art. sup.  
Chart.

Conspirators are such as bind themselves by Oath or other Alliance falsely, &c. to Indict and move Pleas, and cause Children within Age to appeal Persons of Felony. 33 E. 1. Eng.

It extends as well to Takers as Givers, and to Stewards and Bailiffs that maintain Debates, which concern not their Lords.

Persons Indicting others for Treasons and Felonies, supposed to be committed in Places where there are none such to be imprisoned, &c. and the Indictment is void. 7 H. 5. Eng.

By this Act the above was continued till the King's Return, who was then beyond Sea. 9 H. 5. c. 1.  
Eng.

But it was made perpetual by this Act, *H. 5. Dying beyond Sea.* 18 H. 6. c. 12.  
Eng.

King's Servants conspiring the Death of the King, Lords, or Privy-Counsellors, is Felony. 3 H. 7. c. 14.  
Eng.

Vid. *Nisi prius*, 3.

## Constable and Marshal.

**CONSTABLE** and Marshal not to have Cognizance of Suits, which ought to be at the Common-Law. 8 R. 2. c. 5. Eng.

The Constable of England hath Cognizance of Things concerning Arms and Wars. 13 R. 2. c. 2.  
Eng.

Vid. *Appeal*, 7.

## Constable.

**BY** this Act, Constables of Hundreds were appointed, and by the Common-Law, they might put a Man in Stocks who broke the Peace, Arrest or Imprison one for beating or maiming another, &c. 13 E. 1. Eng.  
Stat. Winchest.

*By the 2 Geo. 1. c. 10. expired.) Papists were disabled to be Constables.*

A Constable, before he enters on his Office, to take an Oath before some Justice of Peace, without Favour or Affection, &c. to perform his Duty, and, on Failure, to pay 20 s. and the Justice to give a Certificate thereof without Fee. 1 Geo. 2. c. 13.

And in large Parishes, two or more Constables shall be appointed.

Vid. *Beef*, 2. *Bows*, 4. *Customs*, 139. *Drapery*, 28. *Game*, 14, 16.

*Hearth-money*, 10, 15. *Hedge-breaker*, 2. *High-ways*, 1, 26.

*House of Correction*, 6. *Linen-Manufacture*, 33. *Lord's-Day*, 9.

*Poor-house*, 21, 22. *Recognizance*, 8, 10. *Rent*, 25. *St. Patricks*,

4. *Servants*, 19. *Soldiers*, 6, &c. *Swearing*, 1. *Vagabonds*, 6, 7,

&c. *Watches*, 7, &c. *Wreck*, 4.

**Consultation.** Vid. *Prohibition*, 6.

## Contempt.



**Contempt.** Vid. *Chancery*, 6. *Solicitors*, 15.

**Continuance.** Vid. *Ballast*, 10. *Barracks*, 5. *Beef*, 3. *Bread*, 17, 31. *Butter*, 18, 26. *Certificate-goods*, 3. *Certiorari*, 4. *Clergy*, 17. *Coals*, 4, 6. *Coin*, 23. *Customs*, 109, 119, 136, 144, 161, 167. *Dublin*, 38. *East-India*, 2. *Error*, 7. *Felony*, 45, 60, 63. *Fish*, 17, 18. *Forgery*, 9. *Glebes*, 5, 17. *Grand-juries*, 12. *Hemp*, &c. 6. *Hides*, 7. *High-ways*, 42, 68, 71, 72, &c. *Judgments*, 7. *Ireland*, 16. *Linen-Manufacture*, 21. *Markets*, 8. *Militia*, 20. *Navigation*, 8. *Parish Churches*, 49, 53. *Parliament*, 55. *Poor-house*, 11, 27. *Quakers*, 6. *Quare impedit*, 9. *Rivers*, 40. *Sheriff*, 56. *Tories*, 6, 15, 21. *Tythes*, 19. *Watches*, 30. *Wooll*, 45. *Wreck*, 13.

### Contracts.

7 Gul. 3. c. 12. **N**O Contract for the Sale of Goods, &c. for 10*l.* or upwards, shall be good, except the Buyer accept Part of the Goods, or give Earnest, or a Note of the Bargain in Writing, signed by the Parties, &c.

Vid. *Artificers*, 1, 2. *Cost*, 1. *Marriages*, 1, 16. *Partition*, 16.

### Contra Formam Collationis.

13 E. 1. c. 41. Eng. West. 2. **I**F Lands given to Abbies, or Alms, &c. be alienated, the King shall seize it, or if a Subject was the Founder, he shall recover it by a Writ, which, See in the Stat. at large.

Or the Donor may recover it by *Cessavit*, if the Duties cease for 2 Years, tho' not alienated.

**Controulers.** Vid. *Officers*, 2.

**Convents.** Vid. *Burials*.

**Convert.** Vid. *Fees*, 7. *Papist*, 22, 46, 69.

**Conveyance.** Vid. *Ability*, 8, 10, 11. *Attornments*, 1. *Bankers*, 3, 5. *Papists*, 57. *Uses*, 1.

**Convictions.** Vid. *Artificers*, 2. *Drapery*, 32. *Education*, 2. *Felony*, 13, 14, 28, 39, 67. *Hedge-breakers*, 5. *Papists*, 5. *Riot*, 2, 7. *Servants*, 20. *Solicitors*, 5. *Wood*, 6.

### Convocation.

8 H. 6. c. 1. Eng. **T**HE Clergy and their Servants coming to the Convocation to enjoy such Liberties or Privileges, as Members of Parliament do.

**Conusance.** Vid. *Avowry*, 1.

**Cook-shops.** Vid. *Lord's-Day*, 5.

**Cooler.** Vid. *Customs*, 166.

**Coopers.** Vid. *Beef*, 1, &c. *Butter*, 1, 2, &c.

**Coot-hill.** Vid. *Parish Churches*, 26.

**Coot, Thomas.** Vid. *Poor-house*, 1.

Coot,

**Coot, Charles.** Vid. *Rivers*, 36, U.  
**Coparceners.** Vid. *Advowson*, 3. *Partition*, 7. *Quare Impedit*, 8.  
**Cope, Robert.** Vid. *Poor-house*, 1. *Rivers*, 36, U.  
**Copper.** Vid. *Coin*, 18. *Gold*, 8. *Ireland*, 7.  
**Copp of a Lease.** Vid. *Rent*, 28.  
**Copp-hold.** Vid. *Court of Wards*, 8.  
**Corb.** Vid. *Rivers*, 25.  
**Cordage.** Vid. *Customs*, 16. *Linen-Manufacture*, 26.  
**Cork.** Vid. *Ballast*, 11. *Corn*, 16. *Grand-juries*, 13. *High-ways*, 66.  
*Lights*, 1, &c. *Poor*, 6. *recognizance*, 7. *Wooll*, 22.

### Corn.

**N**ONE to buy Corn in the common Market, having Suffi- 8 E. 4. c. 2.  
 cient of his own.  
 No Badgers or other Persons shall buy in one Market and sell  
 in another, for Profit, on the like Pain as on Regrators.  
 None to export Corn, when the Peck of the same Grain ex- 12 E. 4. c. 3.  
 ceeds 10*d.* on pain of Forfeiture thereof, or the Value.  
 Burning of Reeks of Corn in the Field or Town, and of Houses, 13 H. 8. c. 1.  
 is made High-Treason.  
 None to lease Corn but in their own Fields, and none to give or 25 H. 8. c. 1.  
 take Corn in Harvest, for Reaping or Binding; and any Person  
 may take the same away, with all stolen Corn found within or  
 without their Houses; a Moiety to the Lord of the Soil where  
 'tis taken, the other to the Taker.  
 None to lease in Fields whilst the Corn is there in Reek, &c. 28 H. 8. c. 24.  
 on Pain of 12*d.* and the Corn forfeited, and the Occupiers of the  
 Field not to suffer Leasers, on pain of 12*d.* to the King.  
 Persons keeping Inmates to lease, to forfeit 6*s.* 8*d.* per each.  
 None to burn Corn, or Grain in the Straw, on pain of Impri- 10 & 11 Car. 1.  
 sonment for 10 Days the first Offence, a Month for the second *Seff.* 4. c. 17.  
 Offence, and 40*s.* for the third Offence, to the Prisoners.  
 Justices of Peace, in and out of Sessions, to hear and determine  
 said Offences.  
 When Malt, Bear or Barley is 10*s.* per † Quarter, Rye at 9*s.* 6*d.* *An. c.* 18.  
 and Wheat at 14*s.* or under; Persons shipping the same (in *British* † *Post.* 14.  
 or *Irish* Ships, two Thirds of the Crew being Subjects) to be ex-  
 ported, bringing a Certificate under his Hand of the Quantity,  
 and Quality of such Corn, to the Collector, &c. of the same Port,  
 on Proof thereof, and on giving Bond of 200*l.* per hundred Tun  
 of Corn conditioned, that said Corn shall be exported, and not  
 relanded, such Person shall receive from the Collector 1*s.* per  
 Quarter, if Bear, Barley, Rye, or Malt, and 1*s.* 6*d.* per Quarter,  
 of Wheat, upon Demand, without Fee; said Bond to be cancell'd,



on the Chief Magistrates, or two Merchants Certificate, where the Corn was landed, or being perished in the Sea, or taken by Enemies.

7 Geo. 2. c. 15. After 29 September, 1734, all Wheat, Rye, Meal, Pease, Beans, Barley, Bear, Oats, Shillin, Cutlings, Meal, Flower and Malt, shall be sold by Weight, and not by Measure, according to *Avoir-du-pois* Pound.

Fourteen Pound is a Stone, 8 Stone 100 Weight, 20 Hundred is one Tun; all Bargains for Selling otherwise, shall be void.

Persons selling, or Brewers, Bakers, Malster, Meal-man, Corn-Merchant or Higler, buying said Things otherwise than by Weight, or agreeing for any Addition, to forfeit 5 l. to the Informer, within 3 Months, before a Justice of Peace, but Appeal lies to the Judge of Assize.

Forty Stone to be deemed equal to one Quarter of said Grain, in Case of Importation, Exportation, Premium, and Assize of Bread.

Post. 18.

The Lord-Mayor of *Dublin*, before said Day, *Ante*, 11. to fix four Scales and Weights in the Corn Markets, and fix on *Aston's* Key, on pain of 100 l. Fine in the *King's-Bench*.

The Chief Magistrate of *Cork*, *Waterford*, *Limerick*, *Belfast*, *Londonderry*, *Newry*, *Sligo*, *Galway*, *Drogheda*, *Wexford*, *Navan*, *Lisburn*, *Clonmell*, *Ross* and *Youghall*, in said Time to set up one Beam and Scales, with Weights, on Pain of 50 l. Fine, at the next Assizes after; the Fines to be estreated into the *Exchequer*.

For every Draft under 100 Weight to pay a ½ d. and above that, 1 d. each Draft.

Bakers, Brewers, and Malsters in *Dublin* and the Liberties, to find themselves a Beam and Scales sealed, and buy and sell by the same with Iron Weights, on pain of 5 l. to the Informer and Poor, before the Lord-Mayor or Seneschals.

Persons convicted of Practices or Frauds to make Corn weigh heavier, to forfeit 20 s. to the Informer and Poor, and all the Corn to the Poor, before a Magistrate; and for want of a Distress, to be sent to the House of Correction for 3 Weeks.

Every Car-load of Straw sold, or offered to be sold, weighing less than 400 Weight in *Dublin*, shall be forfeited before Sale, and the Value after Sale, and 2 s. 6 d. the Lord-Mayor, &c. have Power upon View, Confession or Oath, to convict the Offender, and dispose of the Forfeitures to the Poor, Informer, and Highways.

Vid. *Bread*, 8, 10, 11, 13. *Customs*, 17. *Distress*, 20. *Hedge-breakers*, 1. *Issues-lost*, 1. *Measures*, 5, 6, 20. *Rent*, 26. *Ships*, 12. *Weights*, 1.

**Coronation.** Vid. *Oath*, 2.

**Coroners.**

- 1 **A** Coroner or Sheriff, &c. concealing Felonies for Reward, &c. 3 E. 1. c. 9.  
to be fined, and suffer one Year's Imprisonment. Eng.
  - 2 Coroners to be sufficient Men in the County, and to take nothing for executing their Office. *Post*, 6. 3 E. 1. c. 10.  
Eng.
  - 3 Coroners to enquire, upon Oath of 5 or 6 Men, if they knew where the Person was slain, in what Manner, and who were present; (and Persons found culpable to be committed to Goal,) whether the dead Person was known, lay the Night before; and if any appear guilty of the Murder, to enquire what Lands and Goods he had, and then the Body to be buried: They are to enquire of Persons drowned, or suddenly dead, examine the Body, whether there be any Signs of strangling about the Neck, or of Cords about the privy Members, &c. and likewise to enquire of Treasure found. 4 E. 1. Eng.  
Offic' Coron'
  - 4 A Coroner shall have sufficient Land in Fee in the same County. 14 E. 3. c. 8.  
Eng.
  - 5 Coroners to be chosen in full Counties out of the most fit Persons. 28 E. 3. c. 6.  
Eng.
  - 6 Coroner, upon View of the dead Body, and enquiring of the Person that committed the Murder, Abettors, &c. to inrol and certify the Inquisition, to be delivered to the next Justices of Goal-Delivery, if not certified into B. R. where the Murderer may be proceeded against: Coroner remiss in his Duty, to forfeit 5 l. and not take for his Fee above † 13 s. 4 d. of the Goods of the Murdered, or out of the Amerciament of the Vill. For the Escape, if he be gone, Justices of Peace have Power to enquire of Escapes. 3 H. 7. c. 1.  
Eng. † Vid. *Ante*, 2.
  - 7 Coroner, on Inquisition of Murder, Man-slaughter, or accessory, to put in Writing the Effect of the Evidence to the Jury, and bind the Deponents, by Recognizance, to appear at the Assizes, and return all together. 10 Car. 1. Seff.  
2. c. 18.
  - 8 Justices of Goal-Delivery, on Failure of the Coroner, to fine him, and estreat it into the *Exchequer*.
  - 9 Where (*non est inventus*) or (*nulla Bona*) is returned by the Sheriff, on a Mesne, Process or Execution, the Party may take out the same Process to all, or any of the Coroners of the County, and may take Bail, and be liable to an Action on Escape, &c. as the Sheriff might; and the Goaler is to take any Person committed by the Coroner. See *the Coroners Fees in Tit. (Fees)* and by *this Act*, 'tis expressed, he shall take no other. 6 An. c. 7.
- Vid. *Assize*, 14. *Fees*, 16. *Jurors*, 9. *Pleas of the Crown*, 1. *Proclamation*, 4.



**Corporation.**

- 15 R. 2. c. 5. **I**T is Mortmain for the Chief Officer of a Corporation to purchase Lands for the Use of it. *Eng.*
- 2 H. 5. c. 8. *Eng.* Riots, &c. in a Corporation, to be suppressed by the Chief Officers there.
- 18 H. 6. c. 19. *Eng.* The Chief Officers of a Corporation have Power to detain a Soldier departing from his Captain till Enquiry is made.
- 23 H. 6. c. 15. *Eng.* The Chief Officers of a Corporation making false Returns of Members of Parliament, shall forfeit 40 l. to the King, and 40 l. to the Party, or on his Default, any other Person may sue for the same.
- 3 H. 7. c. 7. *Eng.* A common Officer of a Corporation shall be no Customer.
- 10 H. 7. c. 7. No City or great Town to suffer any Person to be Alderman, Freeman, &c. but such as have been Prentice, or continually inhabiting therein, nor call Lords, &c. to their Council, nor shall elect any but good Subjects Mayors, &c. on Pain of 100 Marks to the King.
- 2 G. 1. c. 19. *Post. 9.* On the Death, &c. of an Alderman, &c. the Corporation to proceed to Election in 21 Days after, and give 8 Days Notice previous. *Post. 9.*
- 1 G. 2. c. 9. None to vote at the Election of a Magistrate in any City, &c. that is not 6 Months free, unless he came in by Service, Birth-Right, &c. By this Act the Time for chusing Aldermen, &c. dying, &c. is enlarged to 31 Days (*ante 7*) Magistrates offending to forfeit 100 l. to the Informer.
- 1 G. 2. c. 11. Linen-Weavers not being otherwise free, to have no Vote at the Election of a Magistrate (*Vid. Linen-Manufacture, 6.*)
- Vid. Aquavite, 1. Escheator, 11. First-fruits, 19. Inrolment, 2. Jurors, 2, 14. Justice of Peace, 8. Mortmain, 6. Plantations, 8. Poor-house, 1, &c. Quo Warranto, 1. St. Andrews, 2. Vagabonds, 11. Uniformity, 7. Wine, 5.*
- Corpus cum Causa.** *Vid. Habeas Corpus, 6.*
- Corruption of Blood.** *Vid. Coin, 18. Felony, 58. Perjury, 5.*

**Cosherers.**

- 10 & 11 Car. 1. *Seff. 4. c. 16.* **N**ONE not having an Estate or Support shall walk the Country with Grey-Hounds and Fellows, or lodge themselves on the Inhabitants, or exact Meat, &c. from them, on Account of Rhymes or Songs, &c.
- Justices of Assize and Justices of Peace, assisted by the Sheriffs, &c. may commit such Idlers to Goal till they find Security.
- Vid. Vagabonds, 20.*

**Costs.**

- 10 Car. 1. *Seff. 2. c. 17.* **T**HE Defendant to have his Costs at the Discretion of the Court in Actions of Unlawful Entries into Lands, Debt, Covenant, Contracts,

## Costs.

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Contracts, Detinue, Account, or Case, or personal Wrong, on Verdict or Nonsuit.

2 A *Pauper* to pay no Costs, but may be punished by the Court, nor none suing for the King's Use to pay Costs.

3 The Defendant shall have Costs in Ejectment, or other Action where the Plaintiff might. 10 *Ch* 11 *Car*.  
1. *Seff*. 4. c. 8.

4 After Verdict, the Defendant in Error shall have double Costs on affirming Judgment. (*See Damages*, 3.) 7 *Gul*. 3. *Seff*.  
1. c. 15.

5 The Party shall have Costs on Judgment, on Demurrer, and in Error brought on such Judgment. 9 *Gul*. 3. *Seff*.  
1. c. 35. *post*.  
10.

6 In Action of Waste or Debt for Tythes not exceeding 3 *l*. *Scir' fac'* or Prohibition, the Party shall have Costs on Verdict or Demurrer. (*A Saving for Executors and Administrators*.)

7 The Defendant in Error on quashing the Writ for Variance, or other Defect to have Costs. 6 *An*. c. 10.

8 Plaintiff in Actions of Trespass, Assault and Battery, and for Words if Damages be found under 40 *s*. shall have no more Costs than Damages, if more Costs be awarded, the Judgment to be void. 2 *Geo*. 1. c. 11.

9 But Plaintiff may have full Costs on the Judges Certificate of the Cause of Action, tho' the Damages be under 40 *s*.

10 The Defendant on Demurrer, if Judgment be given for him, to have Cost. 4 *Geo*. 1. c. 13.  
*ante* 5.

11 The Plaintiff recovering on a *Scire facias*, to which *nul tiel* Record is pleaded, shall have Costs as on a Verdict, &c. 5 *Geo*. 2. c. 4.

Vid. *Appeal*, 8. *Apprentice*, 2. *Arrest*, 7. *Attaint*, 5. *Attorney*, 13, &c. *Avowry*, 2. *Bread*, 5, 14, 31. *Bricks*, 4. *Butchers*, 7. *Certiorari*, 2. *Citation*, 3. *Civil Bills*, 2, 9. *Damages and Costs*. *Dublin*, 11, 37. *Fish*, 21. *Gaming*, 1. *Hides*, 4. *High-ways*, 64. *Linen Manufacture*, 76. *Officers*, 9. *Parish Churches*, 63. *Partition*, 10. *Pleaders*, &c. 4. *Poor*, 5. *Prisoners*, 9. *Register*, 8. *Rent*, 10. *St. Patricks*, 6. *Sale*, 4. *Servants*, 15, 17. *Sheriff*, 49. *Supersedeas*, 1, 3. *Swearing*, 2. *Tories*, 9, 17. *Tythes*, 6, 12, 18. *Watches*, 11, 29. *Wears*, 9. *Wooll*, 25. *Wreck*, 11.

**Cottages and Cottagers.** Vid. *Forfeited Estates*, 10. *High-ways*, 2. *Horses*, 2.

**Cottons.** Vid. *Drapery*, 15. *Ireland*, 7. *Ships*, 18.

## Covenants.

1 IN Actions of Covenant in the Courts of Record in *Dublin*, Plaintiff may, on Bond to perform Covenants, assign as many Breaches as he pleases, and may have Damages and Judgments for such of them as is proved on Tryal. 9 *Gul*. 3. *Seff*.  
1. c. 35.

If



## Covenants.

If Plaintiff hath Judgment by Default, or on Demurrer, &c. he may suggest the Breaches on the Roll, and a *Venire* shall issue to have the Damages assessed before the Justices of Assize, or *nisi prius*, and return the same and have Judgment.

Execution to be stayed for that time, on the Defendant's paying such Damages, &c.

If Execution issues and is executed, the Plaintiff, &c. shall be satisfied the Debt and Damages, &c. of the Penalty of the Bond, &c. and the same to be entered on the Roll, and the Defendant and Lands, &c. to be discharged.

If the Damages do not amount to the Penalty of the Bond, such Judgment shall remain as a Security for further Damages on any further Breach, as far as the Penalty reaches, and a *Scir' fac'* to issue on any other Breach against the Defendant, &c. and so *toties quoties* as far as the Penalty reaches.

Vid. *Captains*, 1. *Costs*, 1. *Error*, 10. *Process*, 1.

**Covin.** Vid. *Actions popular*, 1. *Dower*, 4. *Recovery*, 1, 5.

**Counicelloz.** Vid. *Civil Bill*, 12.

**Counterfeit.** Vid. *Coin*, 13, 16, 17, 18, 19. 20. *Servants*, 10.

**Countess.** Vid. *Trial*, 1.

## Counties.

3 & 4 P. & M. 6. 2. **T**HE King and Queen and her Heirs, &c. to have the Counties of *Leix*, &c. in Right of the Crown, and all Manors, Lands, &c. belonging to them.

The new Fort in *Leix* to be called *Maryborough*, and the same as far as the River *Barrow*, to be called the *Queen's-County*.

The new Fort in *Offaly* to be called *Philipstown*, and to be called the *King's-County*, and both to have Sheriffs, &c.

A Commission to issue for ascertaining the Bounds of the said Counties and the Baronies therein, not to prejudice a Grant to the Earl of *Kildare*, nor the Right of Bishops, &c.

3 & 4 P. & M. 6. 3. A Commission to issue under the great Seal to survey waste Grounds lying in no Shire, and divide the same into Counties.

*There was a Power to the King and Queen to repeal this Act in 10 Years, but I don't find it was repealed.*

11 El. Sess. 3. 6. 9. A Commission to issue under the great Seal to enquire of all Counties and not in Shires, or doubtful in what Shires, and to divide, joyn, &c. them, and return the same to *Chancery*, and have the Force of a Statute; Sheriffs, &c. to be appointed to such new Counties, not to prejudice other Grantees.

34 H. 8. Sess. 1. c. 1. *Meath* divided into two Counties, and ascertains what Baronies shall be in *Meath*.

And

## Counties.

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And also ascertains what Baronies compose the County *Westmeath*.

9 *Mullingar* to be the Shire Town of the County *Westmeath*

Vid. *Actions Popular*, 4, 5. *Addition*, 4. *Attaint*, 8. *Clergy*, 13.

*Distress*, 5, 17. *Justice of Assize*, 4. *Piracy*, 1, 2. *Trial*, 2.

**County Clerk.** Vid. *Sheriff*, 34.

**County of Cork.** Vid. *Grand-juries*, 13.

## County Courts.

1 **C**OUNTY Courts to be held Monthly, and the Sheriffs Turn twice a Year. 9 H. 3. c. 35. Eng. mag. char.

2 Archbishops, Bishops, Earls, Barons, or religious Men, are not to appear at the Sheriffs Turn. 52 H. 3. c. 10. Eng. marlb.

3 Sheriffs not to suffer Barreters, &c. to make Suit, nor give Judgment without the Suitors. 3 E. 1. c. 32. Eng.

4 The Turn to be held a month after *Easter* and *Michaelmas*. 31 E. 3. Stat. 1. c. 15. Eng.

5 No Barony-Clerk shall be appointed by any Sheriff on Pain of 50 l. to the Prosecutor, neither shall Barony-Clerks hold any Courts in the Barony, on Pain of Fine and Imprisonment. 3 Geo. 2. c. 9.

Vid. *Attorney*, 1. *Distress*, 11. *Sheriff*, 39.

## Court of Wards.

1 **C**CURT of Wards and Liveries, *premier seifins*, *ouster le mains*, &c. are taken away. 14 & 15 car. 2. Sess. 4. c. 19.

2 Fines for Alienations, Seizures, *aid pur fils marrier* & *pur faire fits*; *chivalier*, &c. and Tenures by Knight Service and Socage *in capite* are taken away.

3 All Tenures hereafter to be created by the King to be free and common Socage.

4 A saving Proviso for Rents, Hariots, Suits of Court, &c.

5 Not to take away Fines for Alienation due by particular Customs, nor Frank-almoyn, nor Tenure by Copy, nor grand Serjeanty, (except Wardships, Marriage, and Value Escuage, and Voyage Royal.)

6 Not to infringe or hurt any Title of Honour, by which any have a Right to sit in the House of Lords.

7 Persons dying, not being of the Communion of the Church of *England*, and the Heir under the Age of twenty one Years at the Death, who shou'd have been in Ward, the Lord Chancellor, &c. to dispose of such Heir to the next of Kin to whom the Inheritance cannot descend, being of the Communion of Church of *England*.

Such



## Court of Wards.

Such Guardian to enter into Recognizance for the Education of such Infant in the Church, and to render an Account at full Age, and not to commit Waste, such Guardian may bring Trespas, or Ravishment of Ward, &c. and take the Profits of their Lands, &c.

The Executors, &c. of such Guardian accountable to the Infant, or his Executors, &c.

10000*l.* to be raised and distributed amongst the Master and Officers of the *Court of Wards*.

The King not to account for Profits received.

Last Wills to be of no greater Force than before the making this Act. (Vid. *Wills*, 6.)

**Court of Admiralty.** Vid. *Action on the Case*, 2. *Admiral*, 2.

**Court of Adjudication of Claims.** Vid. *Settlement*, 10.

**Courts at Dublin.** Vid. *Coals*, 7. *Covenants*, 1. *Drapery*, 24.

**Courts of Law or Equity.** Vid. *Disceit*, 1.

**Court-Leet.** Vid. *Leet*, *Sheriff*, 39.

**Courts Palatine.** Vid. *Forfeiture*, 6.

**Court-Marshal.** Vid. *Papist*, 73.

## Court of the King's Marshal.

28 E. 1. c. 3.  
*Eng.*

**T**HE Steward and Marshal of the King's House not to hold Plea of Free-hold, Debt, Covenant or Contract, but only of Trespas within the Verge, or of Contracts and Covenants, when both Parties are of the House.

13 R. 2. c. 3.  
*Eng.*

The Jurisdiction of the Steward and Marshal of the King's House is, by this Act, limited to 12 Miles from the King's Lodging.

Vid. *Error*, 1.

**Courts of Record.** Vid. *Civil-Bills*, 12.

**Courts of Tipperary.** Vid. *Error*, 4. *Forfeiture*, 6. *Judicial Proceedings*, 4, &c.

## Couzenage.

13 E. 1. c. 20.  
*Eng. West*, 2.

**I**N Writs of Couzenage, Ayel and Befayel, the Tenants Answer (that Plaintiff is not Heir of the Ancestor, by whose Death he claims) shall be admitted, and enquired accordingly.

Vid. *Damages and Costs*, 2. *Limitation*, 1.

**Cows.** Vid. *Clergy*, 16. *Felony*, 26, 27. *Merchants*, 12.

**Cowper, Joshua.** Vid. *Rivers*, 36, C.

**Craners.** Vid. *Customs*, 22.

**Creation.** Vid. *Abatement*, 2.

**Creeks.** Vid. *Wooll*, 5.

**Creditors.**

**Creditors.** Vid. *Administrator*, 9. *Bankers*, 3. *Debt to the King*, 6. *Fraudulent Conveyance*, 8. *Judgments*, 5. *Register*, 3, 22. *Small Debts*, 4.

**Criers.** Vid. *Disceit*, 2.

**Crofton, Sir Edward.** Vid. *Rivers*, 36, C. 4. 14.

### **Cromabo and Butlerabo.**

**NONE** to uphold any Variance by using these Words, on 10 H. 7. c. 2. pain of Fine and Imprisonment.

**Cromwell, Oliver.** Vid. *Law Proceedings*, per tot.

**Crossdall, Henry.** Vid. *Rivers*, 1.

**Cross, Sylvester.** Vid. *Poor-house*, 1.

**Crosses.** Vid. *Papists*, 39.

**Crop.** Vid. *Wills*, 1.

### **Crown.**

**THE** People of *England* not subject to *France*, or any foreign Potentate, 14 E. 3. St. 4. Eng.

By this Act, the Crowns of *England* and *France* were entailed upon the King and his Issue, 7 H. 4. c. 2. Eng.

The Marriage between the King and the Lady *Catherine* declared void, and his Marriage with Queen *Ann* to be lawful and good, and their Issue to inherit. (*Treason to impeach said Marriage*) 28. H. 8. c. 2.

This Act settles the Succession of the Crown in the King's Daughter, the Lady *Mary*, remainder to Lady *Elizabeth*, remainder to such as the King, by Patent or Will, should limit, 35 H. 8. c. 1. Eng.

N. B. By the 2. El. c. 5. the above last Act is declared to be the Law of Ireland.

The Succession of the Crown is declared to be vested in Queen *Elizabeth*, 2 El. c. 5.

The Crown of *Ireland* is declared to be descended to King *James*, 11, 12, 13, Jac. 1. c. 1.

After the Death of King *Charles* the First, to King *Charles* the Second, 13 Car. 2. Sess. 1. cap. 1.

This is the Act of Recognition of King *William* and Queen *Mary*, and by 1 Gul. and M. c. 2. Sect. 9. Eng. Papists, (or any King or Queen marrying a Papist,) are declared incapable of enjoying the Crown, 4 Gul. and M. c. 1.

The Princess *Sophia* of *Hanover*, declared to be next in Succession in the Protestant Line, after the Death of King *William* and Queen *Ann* without Issue, (Vid. *Treason*, 15.) 12 Gul. 3. c. 2. Eng.

K

Both



2 Geo. I. c. 2.

Both Houses of Parliament recognize the Kingdom to be vested in King GEORGE, on the Death of Queen Ann.

Vid. Confirmation, 7. Counties, 1. Dongarvan, Parish-Churches, 64. Provisors, 5.

**Cruizing.** Vid. *Wooll*, 28.

**Cudgels.** Vid. *Lord's-Day*, 4.

**Cui-in-vita.**13 E. I. c. 3.  
Eng. West. 2.

**A** WRIT of Entry called (*cui-in-vita*) is given to the Wife to recover her Lands lost, by the default of the Husband in his Life-time, and she may also be admitted to defend in his Life-time, if she come before Judgment.

The like Privilege is given to the Reversioner, where the Tenant in Dower, &c. make Default.

**Cuff, Michael.** Vid. *Poor-house*, 1.

**Cumin, Hugh.** Vid. *Lights*, 1. &c.

**Curates.** Vid. *First-fruits*, 7. *Globes*, 8, 22. *Papist*, 51. *Parish-Churches*, 45. *Quare impedit*, 6. *Spiritual Persons*, 14, 15, 29, 33. *Uniformity*, 14.

**Curfing.** Vid. *Swearing*.

**Curtis, George.** Vid. *Trade*, 1.

**Customs, Customers, Custom and Excise.**14 E. 3. c. 21.  
Eng.

**T** HIS Act orders a Mark to be paid as Custom for a Sack of *Wool*.

14 R. 2. c. 10.  
Eng. and 20. H.

Custom-house Officers not to have any Ships of their own.

6. c. 5. Eng.

4 H. 4. c. 20.  
Eng.

Every Customer on his Account, to be sworn to render a true Account to the King.

11 H. 4. c. 2.  
Eng.

None that holdeth a common Hoftry shall be a Customer, Searcher or Finder.

3 H. 6. c. 3.  
Eng.

Custom-house Officers concealing Customs, to forfeit treble Value.

11 H. 6. c. 15.  
Eng. Post. 10.

Customers, &c. to deliver the Merchant a Warrant under Seal of the Goods to them shewn without Fee, on pain of 10 l. to the King, and 5 l. to the Merchant.

1 H. 7. c. 2. Eng.  
and 11 H. 7. c.

Aliens made Denizens, shall pay the same Custom as they did before.

14 Eng. Post. 10.  
3 H. 7. c. 7.  
Eng.

Merchants importing Goods, and paying all the Duty, and minding to transport them to some other Port, shall have a Certificate of them from the Customer directed to the Customer, where they are to be conveyed to, before they be discharged, on pain of forfeiting them, the Customers to make out such a Certificate, on pain of forfeiting their Office.

## Customs, Customers, Custom and Excise.

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- 9 Customs not to be levied in the King's High-way but in Cities, <sup>25 H. 6. c. 3.</sup>  
*Exc.* on pain of 20 s. per Penny levied.
- 10 All Acts made in *England* for punishing Customers, *Exc.* Mer- <sup>14 H. 7. c. 1.</sup>  
 chants, *Exc.* to be in Force in *Ireland*. <sup>Ante 7. the rest by Poyning's Law.</sup>
- 11 The King to have 12 d. for every 20 s. worth of Merchandize <sup>15 H. 7. c. 1.</sup>  
 imported or exported, (Wine and Oil excepted.) <sup>Post. 16, 17, 75.</sup>
- 12 None to bring in any Merchandize, or break Bulk, or bring the  
 same out of any Ship, or ship any to be exported before Entry,  
 on pain of Forfeiture.
- 13 This Act not to prejudice Freemen of *Dublin, Waterford, or*  
*Drogheda.*
- 14 Excise or new Impost to be paid upon all Commodities, as well <sup>14 and 15.</sup>  
 native as imported. <sup>Car. 2. Sess. 4.</sup>
- 15 2 s. 6 d. per Barrel, for Beer, or Ale, of above 6 s. Price, and <sup>c. 8.</sup>  
 6 d. per Barrel of 6 s. Price, or under
- 16 4 d. per Gallon Aquavitæ, for Drugs, 2 s. and for Hemp, Flax,  
 Tow, Tar, Rosin, Pitch, Wax, Cables, Yarn or Cordage, 6 d.  
 per Pound Sterl.
- 17 Wine, Tobacco, Silk, Salts, *Exc.* and for all Goods, *Exc.* not <sup>Ante 11.</sup>  
 specified or rated, (except Jewels, Bullion, Corn, Victuals, Arms  
 and Ammunition) imported 12 d. per Pound Sterl.
- 18 To be paid by the first Buyer before receiving them (except as  
 hereafter) or by the Owner on landing them.
- 19 Goods landed or laden without Entry, or in undue Time and Place,  
 to be forfeited, and also the Value thereof. (*The Key is the landing*  
*Place.*)
- 20 Owners, Masters, *Exc.* taking Charge of any Ship, and out of  
 which the Goods are landed or laden, to forfeit 100 l. or 12 Months  
 Imprisonment.
- 21 Every Mariner, *Exc.* Privy thereto, to forfeit 10 l. and Boatmen  
 that carry the same on Shore, or Shipboard, to forfeit 5 l. and the  
 Vessel, and each Assistant to forfeit 5 l.
- 22 Warfingers, or Craners, taking up or letting down any Goods,  
 but in Presence of an Officer, to forfeit 10 l.
- 23 Porters, Carmen, *Exc.* conveying Goods at unreasonable Hours,  
 in Coaches, Waggon, *Exc.* or knowingly at any other Time, tho'  
 feasonable Load, *Exc.* any Goods landed without Entry, to forfeit  
 5 l. and the Carriages and Horses, *Exc.*
- 24 Officers of the Revenue and others, may seize and secure the <sup>Post 33, 89.</sup>  
 same, and all Goods so seized to be forfeited, and the Value. Goods  
 to be entered in the Name of the true Importer, on pain of For-  
 feiture.



2 Geo. I. c. 2.

Both Houses of Parliament recognize the Kingdom to be vested in King GEORGE, on the Death of Queen Ann.

Vid. Confirmation, 7. Counties, 1. Dongarvan, Parish-Churches, 64. Provisors, 5.

**Cruizing.** Vid. *Wooll*, 28.

**Cudgels.** Vid. *Lord's-Day*, 4.

**Cui-in-vita.**

13 E. I. c. 3.

Eng. West. 2.

**A** WRIT of Entry called (*cui-in-vita*) is given to the Wife to recover her Lands lost, by the default of the Husband in his Life-time, and she may also be admitted to defend in his Life-time, if she come before Judgment.

The like Privilege is given to the Reversioner, where the Tenant in Dower, &c. make Default.

**Cuff, Michael.** Vid. *Poor-house*, 1.

**Cumin, Hugh.** Vid. *Lights*, 1. &c.

**Curates.** Vid. *First-fruits*, 7. *Globes*, 8, 22. *Papist*, 51. *Parish-Churches*, 45. *Quare impedit*, 6. *Spiritual Persons*, 14, 15, 29, 33.

*Uniformity*, 14.

**Cursing.** Vid. *Swearing*.

**Curtis, George.** Vid. *Trade*, 1.

**Customs, Customers, Custom and Excise.**

14 E. 3. c. 21.

Eng.

**T**HIS Act orders a Mark to be paid as Custom for a Sack of *Wool*.

14 R. 2. c. 10.

Eng. and 20. H.

Custom-house Officers not to have any Ships of their own.

6. c. 5. Eng.

4 H. 4. c. 20.

Eng.

Every Customer on his Account, to be sworn to render a true Account to the King.

11 H. 4. c. 2.

Eng.

None that holdeth a common Hoftry shall be a Customer, Searcher or Finder.

3 H. 6. c. 3.

Eng.

Custom-house Officers concealing Customs, to forfeit treble Value.

11 H. 6. c. 15.

Eng. Post. 10.

Customers, &c. to deliver the Merchant a Warrant under Seal of the Goods to them shewn without Fee, on pain of 10 l. to the King, and 5 l. to the Merchant.

1 H. 7. c. 2. Eng.

and 11 H. 7. c.

Aliens made Denizens, shall pay the same Custom as they did before.

14 Eng. Post. 10.

3 H. 7. c. 7.

Eng.

Merchants importing Goods, and paying all the Duty, and minding to transport them to some other Port, shall have a Certificate of them from the Customer directed to the Customer, where they are to be conveyed to, before they be discharged, on pain of forfeiting them, the Customers to make out such a Certificate, on pain of forfeiting their Office.

## Customs, Customers, Custom and Excise.

75

- 9 Customs not to be levied in the King's High-way but in Cities, *25 H. 6. c. 3.*  
*Exc. on pain of 20 s. per Penny levied.*
- 10 All Acts made in *England* for punishing Customers, *Exc. Mer-* *14 H. 7. c. 1.*  
*chants, Exc. to be in Force in Ireland.* *Ante 7. the rest*  
*by Poyning's*  
*Law.*
- 11 The King to have *12 d.* for every *20 s.* worth of Merchandize *15 H. 7. c. 1.*  
imported or exported, (Wine and Oil excepted.) *Post. 16, 17, 75.*
- 12 None to bring in any Merchandize, or break Bulk, or bring the  
same out of any Ship, or ship any to be exported before Entry,  
on pain of Forfeiture.
- 13 This Act not to prejudice Freemen of *Dublin, Waterford, or*  
*Drogheda.*
- 14 Excise or new Impost to be paid upon all Commodities, as well *14 and 15.*  
native as imported. *Car. 2. Seff. 4.*  
*c. 8.*
- 15 *2 s. 6 d.* per Barrel, for Beer, or Ale, of above *6 s.* Price, and  
*6 d.* per Barrel of *6 s.* Price, or under
- 16 *4 d.* per Gallon Aquavita, for Drugs, *2 s.* and for Hemp, Flax,  
Tow, Tar, Rosin, Pitch, Wax, Cables, Yarn or Cordage, *6 d.*  
per Pound Sterl.
- 17 Wine, Tobacco, Silk, Salts, *Exc.* and for all Goods, *Exc.* not *Ante 11.*  
specified or rated, (except Jewels, Bullion, Corn, Victuals, Arms  
and Ammunition) imported *12 d.* per Pound Sterl.
- 18 To be paid by the first Buyer before receiving them (except as  
hereafter) or by the Owner on landing them.
- 19 Goods landed or laden without Entry, or in undue Time and Place,  
to be forfeited, and also the Value thereof. (*The Key is the landing*  
*Place.*)
- 20 Owners, Masters, *Exc.* taking Charge of any Ship, and out of  
which the Goods are landed or laden, to forfeit *100 l.* or *12 Months*  
Imprisonment.
- 21 Every Mariner, *Exc.* Privy thereto, to forfeit *10 l.* and Boatmen  
that carry the same on Shore, or Shipboard, to forfeit *5 l.* and the  
Vessel, and each Assistant to forfeit *5 l.*
- 22 Warfingers, or Craners, taking up or letting down any Goods,  
but in Presence of an Officer, to forfeit *10 l.*
- 23 Porters, Carmen, *Exc.* conveying Goods at unreasonable Hours,  
in Coaches, Waggons, *Exc.* or knowingly at any other Time, tho'  
seasonable Load, *Exc.* any Goods landed without Entry, to forfeit  
*5 l.* and the Carriages and Horses, *Exc.*
- 24 Officers of the Revenue and others, may seize and sequestrate the *Post 33, 89.*  
same, and all Goods so seized to be forfeited, and the Value. Goods  
to be entered in the Name of the true Importer, on pain of For-  
feiture.



The Importers to give Bonds for Payment of the Excise before the Delivery of their Goods, and refusing such bond, to pay down the Excise; and on Failure thereof, the Collector, &c. to lay up the Goods in a Ware-house, till Bond given, or Excise paid; the Owner, &c. to pay the Charges.

Merchants to certify, under their own or Servants Hands, their Sale of exciseable Commodities, and to pay the Excise.

Barter to be deemed a Sale.

Shop-keepers and Retailers not to land or carry away Goods till entered, and the Excise paid, on pain of forfeiting double the Value thereof.

Importers declaring upon Oath, that they know not the Quantity or Quality of the Goods on Board, the same may be brought to the Custom-house Key, and viewed, and entered, &c.

Owner, Master or Commander of a coasting Vessel, not to receive, or deliver on Shore, any exciseable Goods, at any unseasonable Times or Places, or without Licence, on pain of 20*l.* and 5*l.* on the Sailors and others.

Said Owners of Coasters, after Lading and Entry, not to go without a *Transire* from the Collector, &c. and not to land any Goods at the Port they go to, before Delivery thereof to the Officer there, and Oath that no other Goods were since that shipped, and that he was not beyond Sea; and if Part landed at one Port, the same to be certified on the Back of the *Transire*.

Retailers, shipping Goods Coastwise, to take Certificate thereof, and deliver the same to the Officer at that Port.

*Ante, 24. Post.*  
89.

Goods, not entered in the Name of the true Proprietor, to be forfeited.

Retailers, &c. fraudulently shipping out Merchants Goods before Sale, the Proprietor to forfeit double the Value, and be disabled to be a Member of any Borough, &c.

*Post. 130.*

Allowance to be made for decayed Wines, and perished Commodities.

*Vid. 2 H. 6. c.*  
*11. Eng.*

2 Buts, 2 Pipes, 4 Hogsheads, 6 Tierces, 3 Puncheons, 8 Quarter-Casks, to be a Tun of Wine; no Allowance to be made for their Size, tho' under Gage.

Common Brewers of Beer, Ale and Aquavita, to make weekly Returns on Mondays, on pain of 20*l.* 40*l.* and 60*l.* 1st, 2d and 3d Offences, and double the Value of the Liquor; and after 3 Weeks, to be for ever incapable of brewing, &c. till he pays 100*l.* and enter into Surety, to make weekly Returns, &c. Brewers to be allowed 64 Gallons in 704 of Beer, &c.

Vintners,

8 Vintners, Inn-keepers, Victuallers, Ale-house Keepers, &c. to give Bond to the Commissioners, &c. to make weekly Entries, or if 3 Miles distant, every 14 Days, on pain of 20 s. 40 s. and 3 l. 1st, 2d and 3d Offences, and to be imprisoned by the Commissioners, till he gives Bond of 20 l. that he will be no more a Brewer, Distiller, &c. and will not sell or vend any Beer or Aquavitæ for the Future.

9 Gaugers to be appointed by the Commissioners, whose Returns are to be a Charge upon the Brewers, in Case they exceed the Brewers, &c. own Return.

10 Common Brewer or Distiller refusing Entrance, or concealing Liquors, or using any private Vessel, Still or Alembick, without giving Notice, to forfeit 20 l. Vintners and Inn-keepers 5 l. And for denying Entrance, or concealing, shall be prohibited from carrying, retailing, &c. Beer, Ale, Aquavitæ, &c. on pain of 50 l. on the Brewer, Vintners, Distillers, and others 5 l. besides double Value.

11 Vintners, &c. if they think fit, may compound, and enter in to Bond, and be exempt from making Entry, or being gauged, paying the same Excise as they did in 12 Months before.

12 Excise to be paid presently for Liquors sold at Assizes, Sessions, and Fairs, during the Time thereof.

13 No Vintner, &c. having compounded, shall sell to others in Gross, or *per* Gallon, to be retailed; the Receiver to pay double Excise, and on Default, both Vintner and Retailer, to forfeit 40 s.

14 Vintners and Inn-keepers wholly to brew their own Beer, &c. or wholly to take it from the Brewer, or they shall otherwise pay Excise for the Whole, upon pain of forfeiting thereof.

15 Distresses taken of Vintners, &c. not to be sold till 14 Days after the Distress made, and the Party in that Time may complain to one or more Justices of Peace, who may examine, determine, and mitigate any Fine or Penalty imposed by this Act, so as the same is not made less than double the Excise, besides Charges, but after fourteen Days the Commissioners, &c. to proceed.

16 A chief Excise-Office to be kept in *Dublin* by five Commissioners, and a Surveyor to be appointed by the Lord Lieutenant, which Commissioners, or three of them, may appoint other Officers, and their Salaries, by the Approbation of the Lord Lieutenant: The Commissioners are to take an Oath of Office, before the Lord Chief Baron of the *Exchequer*, and they may administer the Oath to all other Officers employed under them.

† *Vid. Treasurer, 1.*

† *Vid. Oaths, 20.*

The



The City and County of *Dublin* to be in the Jurisdiction of the said Office.

† *Post*, 146. The like Office to be managed by Sub-commissioners, in all other Counties and Cities, as the Commissioners shall think fit, and be daily kept open, *Sundays* and *Holydays* excepted, from † 9 to 12, and 2 to 5.

† *Post*, 90. The Officers, by Day or Night, may enter into all Ships, &c. Houses, &c. and may stay on Board the Ship till discharged, and seize all Goods, &c. put on Board, or taken out, or carried away, or † intended to be carried away without Entry; and all Goods conveying by Land or Water at unseasonable Hours, or before Entry, or landed, or attempted to be landed, without Licence.

Goods seized and not claimed by the true Owner, &c. in 21 Days, are forfeited, and may be sold; and if claimed, and not duly entered, &c. shall be forfeited.

Masters or Owners, &c. refusing Officers to enter or remain on Board Ships, to forfeit 50*l.* Porters, &c. assisting such Masters, &c. or refusing the Officer to carry seized Goods to the Office, to forfeit 10*l.*

Commissioners, &c. to keep an import Account with Merchants of Entries of Goods imported, and how disposed of; and the Merchants to pay the Excise, and to be allowed by the Buyer.

Said Accounts to be ballanced once in 3 Months, and oftner if Cause, and on Refusal, in 4 Days, the Merchant to be charged with all the Excise.

Oath to be made by the Merchant, as to the Goods remaining in his Hands: Merchants refusing Officers Entrance to search his Cellars to adjust the Remainder of said Account, to forfeit 100*l.*

*Vid. Post*, 114, 118, 134, 141. The Commissioners, &c. may hear and determine all Breaches and Offences on this Act, † except those directed otherwise, and must, upon Notice, Information, &c. proceed to hear and determine the Matter of Fact, by summoning the Parties and Witnesses before them, and may proceed, *ex parte*, on the Parties neglecting or refusing to appear.

† *Post*, 151. Witnesses, refusing to appear or give Evidence, to forfeit † 10*l.*

Any Breach or Offence on this Act, being confessed or proved by one credible Witness, &c. the Commissioners to give Judgment, and issue their Warrant, to distrain for the Fines, &c.

Or on Default of Distress found, may commit the Offender to Prison.

The Commissioners, &c. and Chief Magistrate, &c. to commit the Offender to Goal, for any Fine above 10*l.*

Sheriffs, Goalers, &c. to receive such Offenders, and be answerable for them.

- 1 If Sheriffs, &c. make Replevin of Distresses, or refuse to take a Prisoner, or suffer an Escape, he is to forfeit double the Value, or Fine imposed.
- 2 None to be charged with Penalty, Forfeiture or Punishment, *post. 95.* unless they be informed against, or complained of, to the Commissioners or Sub-commissioners in 6 Months.
- 3 Persons aggrieved may appeal to the Lord Lieutenant, &c. See *the Oath of the Commissioners of Appeal, in the Stat. at large.*
- 4 Commissioners of Appeal may send for Parties, Papers and Witnesses, hear and determine, confirm or reverse Judgments, examine upon Oath, release Persons, and mitigate Fines; but the Informer to be encouraged in the Mitigation of such Fines.
- 5 Commissioners to instruct Officers, and fine them for Offences, not exceeding double the Year's Salary.
- 6 Commissioners and Sub-commissioners may administer Oaths. Subornation and Perjury, on this Act, punishable, as by 28 *El.* and may be tried at Assizes or Sessions.
- 7 Sales, (made of Distresses, after 6 Days (except as *Ante, 45.*) and of other Goods seized and not claimed in 21 Days) on publick Notice good in Law.
- 8 All Charges first deducted; a Moiety of the Seizures, &c. to the King, and the other to the Informer.
- 9 Accessories, discovering, shall be acquitted, and have a Moiety of the Fine, Forfeiture, &c.
- 10 All Mayors, Sheriffs, &c. to be assisting in executing this Act.
- 11 The Premises not to be leased by the King, without Advice of the Governors and 6 of the Council.
- 12 This Revenue is granted in Fee to the King, and *English* Money to be received on these Duties.

### Here follows the BOOK of RATES.

- 73 By this Act, the *BOOK of RATES* is established, as if inserted in the Body of the Act. *14 & 15 Car. 2. Sess. 4. c. 9.*
- 74 Poundage to be paid for Commodities imported or exported, and Poundage to be paid on native Commodities exported.
- 75 Tunnage to be paid on the several Sorts of Wines and Oyl imported by natural-born Subjects and Strangers (Prisage and Butlerage excepted.) Vid. *Ante, 11.*
- 76 On Loss of Goods, by Pyrates, &c. that had paid Custom, Denizens may ship as much Custom-free.
- 77 Owners, Skippers, &c. lading or departing without Licence, or not telling whole Goods they have on Board, or refusing to answer, to forfeit 100 *l.*

The



The like Penalty for landing or discharging Goods without entring into Bond, and answering on Oath that he has not broke Bulk, and make true Invoice.

None to lade or land Goods, not being in Lake or Wreck, at undue Times, or Places, on pain of forfeiting the Goods or the Value, and 100 *l.* for taking into any Vessel, on discharge Goods not in Lake or Wreck.

Officers may take fine Goods suspected to be intended to be run, into the Ware-house till the Duties are paid; Persons refusing, to forfeit 100 *l.*

*Vid. post. 127.* Goods not landed after 28 Days after Arrival, may be taken into the Stores, and there kept at the Charge of the Merchant, and the Party aggrieved may Appeal, and Persons refusing, to forfeit 100 *l.*

Officers purloining such Goods, to be answerable to the Owner or Claimer.

Lading Goods of which Subsidy is due, or landing any, unless in danger of perishing, without Warrant, forfeited.

*Vid. post. 117.* Lighters, &c. receiving any Run-goods from on board a Ship, to be forfeited.

† *Post. 112.* Refusing a Waiter to come on board, or to remain there, or concealing Goods on board, to forfeit † 100 *l.*

Merchants, &c. not making Entries, to forfeit 10 *l.* and undue Entries, the Goods.

None to carry prohibited Goods, or that has not paid Duty, to any other Port without describing the Goods and giving Bond to the Collector, &c. to land them in a lawful Port, on pain of Forfeiture, and in 2 Months after to bring a Certificate, under the Hand and Seal of Office, from the Officer where such were landed.

Goods duly landed and that paid Duty, carried to any other Port, the Merchant, &c. to take a Certificate to the Officer of such Port, and landing them in any other Port, to be forfeited.

Goods from beyond Sea, entered in the Customers Books, not in the Name of the Owner, forfeited.

† *Ante, 49.* Officers in the Day or Night may enter into Ships, Cellars, &c. to search for prohibited Goods, and seize Goods carried away, or † intended to be carried away, not paying Duty.

All Defaults of Persons attempting to do any thing against this Act shall be heard and determined by the Barons of the *Exchequer*, (except as hereafter excepted.)

No Prosecution to be till Registry of the Seizure, and till the same is lodged in the Ware-house.

The Prosecutor neglecting or delaying, the Commissioners may appoint a Prosecutor.

Lord

Lord Lieutenant to have 20 Tuns of Wine Duty free, and the Privy and King's Councils to have Wine Duty free.

Prosecution to be within 12 Months, and Town Bargains not required, but Merchants to sell their Goods at Pleasure. *Ante 61.*

No petty Customs to be paid by Virtue of any Grant to any Town, &c. more than what was due by antient Prescription, (except those granted by Patent to the Earl of Kildare.)

*Here follows the Book of Rates.*

Goods not enumerated in the *Book of Rates*, to pay Poundage according to their Valuation.

After this, next follows certain Rules and Articles for the Encouragement of Trade and Merchants, and then a Table of *Fees*.

The Lord Lieutenant and Council may encreate the Salaries out of the *Exchequer*.

All foreign Silks shall pay a Third extraordinary.

Sugars, Indico, Ginger, Cotton, Wooll, and other Commodities, of the Growth of the Plantations, imported from *England* or *Wales*, to pay but one half Custom and Subsidy. Direction for Wine and Tobacco from *England*.

One third Part more Subsidy to be paid for all other Commodities from the Plantations, unless imported from *England*, &c. Vid. *Ships*, 23.

Aliens to pay double Custom, and *French* Ships coming to *Ireland*, to pay 5 s. per Tun Burthen. This to continue whilst they continue a Duty of 50 Sols per Tun on our Ships.

The Duty of Iron, Bark, Hoops, Laths, Barrel and Pipe Staves, taken off, and 5 s. Custom, and 5 s. Excise per Tun laid on Iron, and Staves to pay 6 d. and Hoops and Laths 1 d. per hundred, Bark 1 d. per Barrel imported. *2 An. Sess. 1. c. 2.*

Timber, 2 l. 10 s. per Tun, Hoops, Laths, per thousand, 5 s. Pipe, and Barrel Staves per thousand 3 l. to be paid on Exportation, except to *England*.

No Duty payable on the Exportation of Flaxen or Hempen Cloth. *2 An. Sess. 2. c. 4. vid. Lin. Man. 10.*

Pot-Ashes, Wood-Ashes, *Holland*, *Russia*, *Muscovia* Flax-Seed and Looms may be imported Duty free.

Rape-Seed exported to pay 6 d. per Quarter, and so in Proportion, and 4 d. per Tun Rape Oyl, to be paid as on the Stat. *ante 73.* *2 An. Sess. 2. c. 7.*

By this Act the above last Act is made perpetual. *6 An. c. 12.*

Rock-Salt imported, to pay 12 d. per Tun Duty and no more. Vid. *8 An. c. 2.*

Rock-Salt, 1.

L

Exciseable



6 Geo. I. c. 8.  
ante. 84.

Excisable Goods unshipped, or landed unlawfully out of small Vessels under 15 Tuns, forfeited, and the Vessel.

Ante 85.

Goods concealed out of the Invoice for 48 Hours, forfeited.

Goods saved out of a Ship not wrecked, Jetlam, Flotsam, or Lagan, after Salvage allowed, subject to Customs.

Vid. Brandy.

Seizures of Brandy, Strong-Waters, or Spirits, in 50 Gallon Casks, or under, may be tried before the Commissioners or Sub-Commissioners, as by 14 Car. 2. c. 8. with like Liberty of Appeal.

Ante 55.

Packet-Boats not to import or export Goods for Sale, on Pain of 100 l.

Brewers carrying Drink out without Notice, other than from 3 in the Morning till 9 at Night, Summer, and in Winter from 5 in the Morning to 8 at Night, to forfeit 20 s. per Barrel.

No Distiller to set a Still to work, or carry out any Liquors, &c. without Notice to the Officer of Excise, unless at the Hours above last mentioned, on Pain of 10 l.

Ante 55.

Forfeitures on this Act recoverable as on 14 Car. 2. c. 8. with like Liberty of Appeal.

The above last Act was but for 2 Years only, and was further continued by several Statutes, and is now continued by 3 Geo. 2. c. 5. to the 25th March 1737.

12 Geo. I. c. 2.

Goods unlawfully unshipped, or taken in at Sea, or out of any Ship, &c. in Order to be landed, or put on board another Ship in the Limits of a Port, (unless in Necessity, and then the Master to give Notice immediately to the first Port he shall arrive at) the Master, &c. to forfeit treble the Value of the Goods.

Tobacco not to be brought into this Kingdom from any Place, other than in Hogheads, Trusses, or other Package, not less than 300 Weight, on Pain of Forfeiture.

Tobacco, Brandy, &c. of the Growth, &c. of Asia, Africa, or America, brought from the Isle of Man, in Ships less than 20 Tuns, exceeding 2 Pound Weight of Tobacco, and one Gallon of Spirits for each Person, shall be forfeited, and the Ship, &c. or the Value.

Goods exported for which a Draw-back is due, and relanded or unshipped without Licence (unless in Distress, and then Notice to be given) the Master and Owners shall forfeit treble the Value of such Goods to the King and Informer.

No Draw-back to be paid, unless the Master make Oath that he will not permit the said Goods to be relanded, unless in real Distress. (Quakers to affirm such.)

Vid. Ireland,  
10.

Persons knowingly harbouring, keeping, concealing, or permitting to conceal, &c. or buying or selling Run-goods, knowing they were such, to forfeit treble the Value thereof.

Persons

- 26 Persons aggrieved may appeal in 2 Months, and not after.
- 27 Goods left in the King's Stores for 6 Months, to be sold on a *vid. ante* 81. Month's Notice, by Auction, the Overplus after Duty and Charges, to the Owner.
- 28 Persons passing with Run-goods within 10 Miles of the Coast, being 5 or more in Company, and being disguised by Vizards, &c. guilty of Felony, and to be transported.
- 29 Any of such Persons discovering within 3 Months, 2 or more Accomplices (so as they are convicted) shall be discharged.
- 30 Merchants finding Wine damaged, and not worth the Duties, *Ante* 35. may stave or spill the same, and be re-paid the Duty.
- 31 4*l.* per Tun, German Wine, 40*s.* French, 6*l.* Portugal, Spanish, &c. to be allowed, extraordinary, on destroyed Wines; provided the same be immediately imported from the Country of its Growth.
- 32 Prisage, or Butlerage, not to be diminished.
- 33 Persons refusing Officers, &c. to take Charge of a Ship, to forfeit 50*l.*
- 34 Commissioners, &c. to determine Offences on this Act, herein *Ante* 55. before mentioned, as on 14 *Car. 2. c. 8.* with like Remedy of Appeal.
- 35 Persons assaulting Officers, or their Assistants, in seizing, &c. or rescuing after Seizure, or after Seizure destroy the Goods, to forfeit 100*l.* first Offence, and be transported for the second Offence.
- 36 The above Act is continued to the 25th March 1737, by 3 *Geo. 2. c. 5.*
- 37 No Judgment by Commissioners, &c. to be reversed for want of 1 *Geo. 2. c. 6.* Form in the Information.
- 38 Claims of Persons to a Right of a Reward for Seizures, &c. shall be determined by the Commissioners or Sub-Commissioners, and shall be final.
- 39 Officers refused to enter into a House or other Place, to search for suspected Goods, may in Presence of a Constable, break open the same.
- 40 Brewing Vessels, &c. tho' aliened, still subject to the Excise.
- 41 The Commissioners, &c. to determine Matters on this Act as on *Ante* 55. 14 *Car. 2. c. 8.* with like Liberty of Appeal (except the Reward for Seizures, from which no Appeal lies.)
- 42 By this Act a Valuation is set upon certain Goods, pursuant to which they must pay Custom and Excise. *Post* 145.
- 43 Urns exported within 18 Months, entitled to a Draw-back, as if exported within 12 Months, &c.
- 44 This Act to continue in force till March, 1733, and the Sessions following further continued to the 25th March 1735, and the End of next Sessions by 7 *Geo. 2. c. 3.*
- 45 Still the rated Goods after the Expiration of this Act, to pay the lawful Duty as hereby rated.



ante, 48.

Officers of the Customs in all Ports, to attend in Winter from 10 Forenoon, to 3 Afternoon (*Summer not altered*) and no more that Day.

1 Geo. 2. c. 7.

Statutes by which Aid is granted to the King, expiring within six Months after his Death, yet the Rates shall be levied for 6 Months from his Death, unless altered by Statute in that Time.

3 Geo. 2. c. 3.  
last Sect.

The Duty on Wooll, Bay Yarn, and Woollen Yarn exported to England, is by this Act taken off.

5 Geo. 2. c. 3.

Officers of the Revenue, their Aiders, &c. sued for executing their Office, may plead the general Issue; but must give † 14 Days notice to the Plaintiff, &c. of any Records he shall use on the Tryal.

† Post 162. altered.

Post 164.

Officers may give in Evidence, an attested Copy of the Entry in the Commissioners or Collectors Books, to prove him an Officer; and said Entry being proved, is good Evidence without producing his Commission, Vid. Post 164. *On an Indictment or Information.*

Commissioners, &c. may summon Parties and Witnesses out of any other District, (but Affidavit to be first made on pain of 20 l. on the Person issuing such Summons) that such Witness is material, &c. and their Warrants of Distress may also be executed in any other District, and Witnesses refusing, &c. to appear, or answer, to forfeit 20 l. Vid. Ante 56.

Commissioners and Sub-commissioners, if required by the Party against whom the Information is made, to take an Oath (to be administered by the Clerk) that he, &c. is not interested or concerned in the Thing, nor does not gain or lose thereby, otherwise they shall be disqualified to sit, &c.

Masters of Ships arriving, to declare to the Officer requiring it, the true Name of himself and Ship, and where bound to, on pain of 100 l.

Wine in Hogsheads, Brandy, &c. more than 4 Gallons, Tobacco above 4 Pounds, Silks in Pieces, India Goods (except Spices) and above 2 Pound of Tea going by Land Carriage, shall be deemed run Goods unless a Permit is produced; but on Oath of the Loss of it, and the Merchants Oaths that it was not to protect other Goods, the Entry thereof shall be good.

Fees of such Permit to the Collector for Tobacco, under 100 l. Weight, and Goods 5 l. Value 1 d. and 3 d. for every Permit above that.

Post 163. altered.

Duties and Forfeitures arising by Ale-licences, to be levied as the Hearth-money is, Vid. *Hearth-money*, 9, 10, &c.

None to distill Aquavitæ, &c. for Sale but in Market-towns, or within 2 Miles thereof, on pain of 40 l. but a Person for his own Use may keep a 12 Gallon-Still, and if larger, he shall be deemed a common Distiller for Sale.

Officers

Officers may in the Day-time enter into any Shop, &c. of Retailers of Tobacco, selling under 300 Weight, and Brandy, &c. under one Gallon, and from time to time make a Return thereof, as in the Case of Beer and Ale, &c. (*Ante*, 39.) and Persons refusing Entrance to forfeit 50*l*.

Forfeitures on this Act herein before-mentioned to be recovered, &c. with like Remedy of Appeal, as in 14 *Car. 2. Ante*, 55.

Running Goods, or assaulting Officers in seizing the same, or rescuing such, the first Offence, being convict by Verdict, is 3 Years Imprisonment and forfeit a 100*l*. the second is Transportation, and returning within 7 Years without Licence, Felony.

This Act to continue for 2 Years, and to the End of the next Session of Parliament and no longer, further continued to the 25th. March, 1735. and the End of next Sessions, by 7 *Geo. 2. cap. 3.*

The 14 Days for notice of Tryal, in 149 *Ante*, is hereby enlarged 7 *Geo. 2. c. 3.* to 20 Days; and like Notice to be given by the Defendant when brought on by Proviso.

The Duties and Forfeitures in 156 *Ante*, is by this Act to be collected as by the Stat. of Excise, 14 *Car. 2. c. 8.*

The Copy of the Entry in 150 *Ante*, may be given in Evidence on any Indictment or Information against the Officers, &c. as well as in any civil Action.

All Persons selling Wine by any Quantity under one Gallon, shall be deemed Retailers within the Act, which see in Wine, 8.

No Brewer (on pain of 5*l*. to be recover'd by 14 *Car. 2. c. 8.* with like Liberty of Appeal) shall without notice in writing to the Officer alter the Situation of his Back or Cooler, used by him.

This Act to continue in Force to the 25th. of March, 1735. and the End of next Sessions and no longer.

Vid. *Accounts*, 3. *Actions Popular*, 6. *Bullion*, 1. *Cloath*, 9. *Coals*, 5. *Corporation*, 5. *Fish*, 9. *Hemp and Flax*, 6. *Leather*, 1. *Linen Manufacture*, 12, 23, 69. *Officers*, 2. *Ships*, 9. *Silver*, 1. *Wine*, 2, 3, 7. *Wooll*, 11, 13.

**Custom-free.** Vid. *Customs*, 76, 94, 106, 107. *Linen Manufacture*, 12, 27, 29, 30, 31, 70. *Ships*, 27.

**Custom-house Officers.** Vid. *Officers of the Revenue*.

**Custom of Ireland relating to Thirds.** Vid. *Administrator*, 12.

**Custos Rotulorum.** Vid. *Inrolments*, 1.

**Cutler.** Vid. *Papists*, 5.

**Cutling.** Vid. *Corn*, 11.



**Damage Clear.**

7 Gul. 3. Sess. 1.  
c. 10.

**D**AMAGE Clear is taken away and abolished, Clerks demanding the same, to forfeit treble the Sum.

**Damage Feasant.** Vid. *Distress*, 1. *Partition*, 11.

**Damage and Costs.**

6 E. 1. c. 1. Eng.  
Gloc.

**D**AMAGES are given in Assize of Novel Disseisin, against the Disseisor, and his Alienee, &c.

In Assize of Mortdancestor, Writs of Cozenage, Ayel, Befayel, Damages shall be awarded.

3 H. 7. c. 10.  
Eng.

The Plaintiff, being Defendant in Error, if the Judgment is affirmed, to have Damages at the Direction of the Justices. (Vid. *Costs*, 4.)

Vid. *Forgery*, 6. *House of Correction*, 8. *Pound Breach*, 1. *Promissory-Notes*, 1. *Sheriff*, 26. *Trespass*, 3.

**Damages.** Vid. *Double and treble Damages*. *Accusation*, 5, 7, 8, 9. *Advowson*, 4. *Appeals*, 4. *Attaint*, 5. *Avowry*, 2. *Costs*, 8, 9. *Covenant*, 1, &c. *Dower*, 2. *Earnest*, 3. *Escheator*, 7. *Extortion*, 3. *Fire*, 1. *Heriots*, 1. *Linen-Manufacture*, 11. *Lord's-Day*, 7. *Markets*, 7. *Mortdancestor*, 4. *Perjury*, 1. *Rivers*, 11. *Soldiers*, 4. *Supersedeas*, 3. *Tories*, 1, 2, &c. *Wooll*, 25.

**Darrein Presentment.**

9 H. 3. c. 13.  
Eng. Mag. Ch.

**A**SSIZE of darrein Presentment shall be taken before the Justices of the Bench, and be there determined.

Vid. *Advowson*, 1, &c. *Days in Bank*, 2. *Essoin*, 1. *Limitation*, 9.

**Dawson, Ephraim.** Vid. *Poor-house*, 1.

**Dawson, Richard.** *Ibid.*

**Days, Festival.** Vid. *Anniversary*.

**Days in Bank.**

Marlb. c. 12.  
Eng. H. 3.  
Post. 10.

**I**N Dower, *unde nihil habet*, 4 Days shall be given in the Year, and more, if conveniently may be.

Post. 14.

In Darrein Presentment, and *quare impedit*, Day shall be given from 15 to 15, or from 3 Weeks to 3 Weeks, according to the Distance of the Place. (Vid. *Quar' impedit* 4. *contra*.)

In a *Quar' impedit* if the Disturber come not in upon Summons, nor cast an Essoin, he shall be attached at another Day, and then, on Default, the great Distress shall issue; then if he come not, a Writ shall go to the Bishop, that the Disturber claim not for that Time.

The same Law shall be observed for Attachment as for Distresses, so that the second Attachment be made by better Pledges.

11 El. Sess. 3. c.  
2.

Trinity-Term shall begin the Monday next after Trinity-Sunday, and shall have but 4 Returns, viz. *Cras' Trin'*, &c. All

## Days in Bank.

87

All common Writs, &c. shall have and keep the said Returns.

The rest of this Stat. is here omitted, being altered by next subsequent Act.

There shall be only 4 common Days of Return in Michaelmas- 6 Geo. I. c. 1.  
Term, viz. *Craft Animar*, &c. the other 3 are taken away, and  
the Term to begin *Craft Animar*.

If any Writ in any  
real Action (other  
than Writs of Entry  
for common Recove-  
ries, Writs of Right  
of Advowson and of  
Dower, *unde nihil ha-*  
*bet*) come in, and be  
returnable.

<i>Craft Animar</i>	Day shall be given in	<i>Quind Pascb</i>
<i>Craft Martin</i>		<i>Tres Pascb</i>
<i>Octab Mart</i>		<i>Mens Pascb</i>
<i>Quind Mart</i>		<i>Quinq Pascb</i>
<i>Octab Hillar</i>		<i>Craft Ascent</i>
<i>Quind Hillar</i>		<i>Craft Trin</i>
<i>Craft Pur</i>		<i>Octab Trin</i>
<i>Octab Pur</i>		<i>Quind Trin</i>
<i>Quind Pasc</i>		<i>Tres Trin</i>
<i>Tres Pasc</i>		<i>Craft Animar</i>
<i>Mens Pasc</i>		<i>Craft Martin</i>
<i>Quinq Pasc</i>		<i>Octab Martin</i>
<i>Craft Asc</i>		<i>Quind Martin</i>
<i>Craft Trin</i>		<i>Octab Hillar</i>
<i>Octab Trin</i>		<i>Quind Hillar</i>
<i>Quind Trin</i>		<i>Craft Purific</i>
<i>Tres Trin</i>		<i>Octab Purific</i>

If any Writ of  
Dower, *unde nihil ha-*  
*bet*, Writs of Entry  
for common Reco-  
veries, or Writs of  
Right of Advowson  
be returnable.

<i>Craft Anim</i>	Day shall be given in	<i>Octab Hillar</i>
<i>Craft Mart</i>		<i>Quind Hillar</i>
<i>Octab Mart</i>		<i>Craft Purific</i>
<i>Quind Mart</i>		<i>Octab Purific</i>
<i>Octab Hill</i>		<i>Quind Pasc</i>
<i>Quind Hill</i>		<i>Tres Pasc</i>
<i>Craft Pur</i>		<i>Mens Pasc</i>
<i>Octab Pur</i>		<i>Quinq Pasc</i>
<i>Quind Pasc</i>		<i>Craft Ascent</i>
<i>Tres Pasc</i>		<i>Craft Trin</i>
<i>Mens Pasc</i>		<i>Octab Trin</i>
<i>Quinq Pasc</i>		<i>Quind Trin</i>
<i>Craft Ascent</i>		<i>Tres Trin</i>
<i>Craft Trin</i>		<i>Craft Animar</i>
<i>Octab Trin</i>		<i>Craft Mart</i>
<i>Quind Trin</i>		<i>Octab Mart</i>
<i>Tres Trin</i>		<i>Quind Mart</i>

In



**Days in Bank.**

In Writ of Dower, *unde*, &c. 15 Days between the Test and Return of the *Venire* is sufficient.

*Craft' Ascent'* to be deemed a good Return, tho' not 15 Days to *Craft' Trin'*.

Writs of Summons *ad Warrantizandum*, and Right of Advowson to have 5 Returns only.

Justices may assign special Return-Days where usual.

This Act not to prejudice the Days given (*in 2. Ante*) nor in (*Attaint, 2.*)

**Day Labourers.** Vid. *Labourers*.

**Deans, and Deans and Chapter.** Vid. *Alms-house, 1. Glebes, 15. Provisors, 9.*

**Deanries.** Vid. *Leases, 14. Limitation, 9.*

**Death.** Vid. *Abatement, 2, 4, 6. Ability, 7. Admiral, 2. Error, 8. Execution, 5. Jurors, 7. Sheriff, 44. Trial, 2.*

**De bene esse.** Vid. *Mortgages, 9.*

**Debentures.**

**PAY-MASTER** of the Forces to transmit a List of Debentures, made out, to the Trustees in *Ireland*.

A Certificate to be made to Major-General *Stewart*, for 3962 l. 7 s. 4. to be satisfied out of the forfeited Estates aforesaid.

And what is due to foreign Transports reducing *Ireland*.

Lord-Treasurer of *Ireland* to apply the *Irish* Debentures, not issued out, &c. towards Satisfaction of Money, due to Out-Pensioners of *Chelsey* Hospital.

Money applied for Payment of Interest for unsatisfied Debentures, to be charged on the *Irish* Forfeitures.

Million and Malt-Lottery Tickets, &c. and Army-Debentures in *Ireland*, burnt or lost before the 3d of *May, 1707*, Officers, on Affidavit thereof, to pay the same.

**Debt.**

**NONE** to restrain a Foreigner in any Town, City, Fair, &c. for any Debt not justly his own, on pain of grievous Punishment.

No Warden of the Fleet to suffer a Prisoner in by Judgment, to go at large, the Plaintiff, in such Case, may recover against him by Bill of Debt.

Judgment shall be given against a Debtor, who having made a fraudulent Conveyance, to defraud Creditors, retires to a Privilege Place, and refuses to appear on Proclamation by the Sheriff.

By

By this Act, Protection is taken away in the Action, *Ante*, 2. 7 H. 4. c. 4. Eng. and other Goals are mentioned in the preamble of this as well as the Fleet.

Vid. *Administrator*, 3. *Banker*, 4. *Civil-Bills*, 1. *Costs*, 1. *Error*, 10. *Ordinary*, 1.

### Debt to the King.

THE King nor his Bailiff shall levy Debt upon Lands, &c. 9 H. 3. c. 8. Eng. where the Debtor has sufficient Chattles; neither shall the Mag. Chart. Pledges be distrained so long as the Principal is sufficient.

The King's Debtor dying, the King shall be served before the *ibid.* c. 18. Executor.

The Sheriff, having received the King's Debt, upon his next 3 E. 1. c. 19. Account, shall discharge the Debtor thereof, on pain of treble Value. Eng. West. 1.

Upon Payment of the King's Debt, the Process for levying the same to be shewed upon Demand without Fee, on pain of Amerciament.

Beasts of the Plow shall not be distrained for the King whilst others 28 E. 1. c. 12. may be found. Eng. Art. Sup.

Notwithstanding the King's Protection, Creditors may proceed 25 E. 3. c. 19. to Judgment against his Debtor with a (*Cesset Executio*) till the King's Eng. Debt be paid, or may sue Execution if they take the King's Debt upon them.

Vid. *Exchequer*, 2. *Jeofails*, 11. *Parliament*, 29. *Sheriff*, 41, 48.

### Small Debts.

A Register to be appointed in every County and City, and to 9 Gul. 3. Seff. give Security of 500 l. by Recognizance for his Office, and 1. c. 40. to be filed in the *Exchequer*, and may appoint Deputies, and to take the Oaths. (*And Oath of Office, which see in the Stat. at large.*)

All Bonds under Hand and Seal under 10 l. acknowledged before a Justice of Peace, certified under their Hands and Seals, to be entered by the Register of that County in a Book, and the Receipts and Transfers thereon indorsed, the Obligor shall be bound thereby, from the Day of Payment, as by a Judgment at Law, the Bonds to be printed and stamped. (*See the Form of the Bond in the Statute.*)

The Register to provide said Bonds, and sell one for a Penny, and none without such Stamp to be sold, on pain of 10 l. (*See the Words for transferring said Bonds in the Statute.*)

The Creditor, on Oath of the Demand made, and tendering the Bond, to have a Warrant of Execution within the Year, from the Register, to all the Sheriffs, &c. of the Kingdom, against the Debtor or his Goods. No Payment valid unless indorsed on the Bond at the Entry.

Said Sheriffs, &c. to arrest such Debtor, and shall be chargeable, as on a *Capias ad Satisfaciend*.



## Small Debts.

The Sheriff, &c. to sell the Goods, &c. of such Debtor on such Warrant, and shall be appraised by the Barony, or Parish Appraisors; the Sheriff, &c. to make a Return to the Register, issuing said Warrant, before the next Quarter-Sessions; Sheriff, &c. neglecting, &c. to be liable to an Action on the Case, as on an Execution at Law, and to pay treble Costs.

The Plaintiff to have his Election, whether the Body or Goods shall be seized, but not to have both, unless the Goods be insufficient.

Said Bonds may be assigned, and the Assignee to have the sole Right: No Release after shall prejudice him, and may have Execution in his own Name; but the Assignor is discharged.

To counterfeit the Hand and Seal of a Justice of Peace, or Register, is made Felony without Clergy.

On Complaint of unfair Practice by Sheriffs, &c. they may be fined 10 l. at the Assizes or Sessions, but may be reduced, on Satisfaction being made to the Party.

Subornation and Perjury punished, as on the 28 El. the Register to keep three Duplicates of Books, wherein the Rules of Sessions shall be entered; the Justices to keep one, and the Clerk of the Peace another, and two to be brought into Court every Sessions.

The Register-Fees for entring said Bond, 6 d. for the Warrant of Execution, 12 d. entring a Discharge to such Bond, 3 d. entring a Transfer, 2 d. to the Sheriff, &c. taking the Debtor or Goods, 1 s. and to the Appraisors, 6 d. per Pound, and 6 d. per Pound on Committal.

**Deceit.** Vid. *Disceit*.

### Decies tantum.

38 E. 3. c. 12.  
Eng.

**A JUROR** taking any thing from either Party, to give his Verdict, to forfeit ten times so much, or be imprisoned. (Vid. *Jurors*, 5.)

Embracer to be punished by Imprisonment, but no Justice *ex Officio* to enquire into this.

### Declaration.

36 E. 3. c. 15.  
Eng.

**NONE** to be prejudiced if the Matter of his Action be fully shewn in the Declaration.

Vid. *Appeal*, 3. *Arrest*, 7. *Error*, 11. *Oaths*, 5. *Papists*, 35. *Prisoners*, 3, 5. *Proclamation*, 7. *Quakers*, 1. *Trusts*, 1, 4. *Uniformity*, 15, 17.

**Decrees.** Vid. *Chancery*, 3, 4, 5. *Civil-Bills*, 9, 10. *Fees*, 9. *Papists*, 57. *Sheriff*, 49.

**Deedimus.** Vid. *Fine*, 5.

**Deeds.** Vid. *False Deeds*. *Felony*, 57. *Forgery*, 1, 8. *Register*, 1, &c.

**Deeds**

**Deeds of Gift.** Vid. *Uses*, 3.  
**Drer.** Vid. *Felony*, 64. *Game*, 5.  
**Deer-sells.** Vid. *Cloath*, 4. *Felony*, 67. *Game*, 21.  
**Deer-stealer.** Vid. *Felony*, 64.  
**Defamation.** Vid. *Citation*, 5.  
**Default.** Vid. *Quod est de forcoat*, 1. *biV*.  
**Degraded Clergy-man.** Vid. *Marriages*, 13.  
**Degrees of Kin.** Vid. *Challenge*, 4.  
**Delegates.** Vid. *Appeal*, 10.  
**Delivery of Writs.** Vid. *Return of Sheriffs*, 15.  
**Demefnes.** Vid. *Glebes*, 7, 9. *Spiritual Persons*, 7.  
**Demises.** Vid. *Glebes*, 21. *Spiritual Persons*, 11.  
**Demise of the King.** Vid. *Parliament*, 40.

### Demurrer.

1 **A**FTER Demurrer joined and entered, Judgment shall be given, as the Right and Matter in Law shall appear, without Regard to Form, except that specially set down. Error shan't lie on such Default not specially demurred to. (This to extend to inferior Courts, by 9 Gul. 3. c. 38. 10 Car. 1. Sess. 2. c. 11.)

2 The Court may amend Imperfections not demurred to, after Demurrer joined; but not to extend to Appeals of Felony, Murder, Actions popular, &c.

3 After Demurrer joined, the Court may proceed to Judgment (as aforefaid) notwithstanding such Defect might be taken to be Matter of Substance, and not aided by 10 Car. 1. c. 11. Ante, 1.

Vid. *Butchers*, 7. *Costs*, 5, 10. *Covenant*, 2. *Papist*, 59. *Sheriff*, 55.

**Denizens.** Vid. *Customs*, 7. *Plantation*, 3. *Wine*, 2.

**Denomination of Cloath.** Vid. *Linen-Manufacture*, 18, 71.

**Deposition.** Vid. *Mortgages*, 9. *Perjury*, 2. *Solicitors*, 16.

**Deprivation.** Vid. *Marriages*, 10. *Uniformity*, 1, 13, 15, 20.

**Deputies.** Vid. *Distress*, 18. *Drapery*, 28. *Escheator*, 9. *Religion*, 5. *Sheriff*, 57. *Small Debts*, 1. *Wooll*, 10.

**Derriagh.** Vid. *Parish-Churches*, 12.

**Derrilee.** Ibid.

**Derrpene.** Ibid.

**Derrynoose.** Ibid. 10.

**Descent.** Vid. *Profits by Descent*. *Disseisin*, 1.

**Desertion.** Vid. *Navigation*, 3.

**Detachment.** Vid. *Soldiers*, 4.

**Detinue.** Vid. *Civil Bills*, 1. *Costs*, 1. *Error*, 10.

**Debastabit.** Vid. *Sheriff*, 58.

**Devisees.** Vid. *Fraudulent Conveyance*, 9, 10.

**Devise.** Vid. *Wills*, 3.



**Diaper.** Vid. *Linen Manufacture*, 4.

**Dice.** Vid. *Gaming*, 1. *Rivers*, 47, &c.

**Dignitaries.** Vid. *Glebes*, 4, &c. *Leases*, 9, 15. *Papists*, 10. *Uniformity*, 15.

**Dilapidations.** Vid. *Spiritual Persons*, 9, 10, 22.

**Dilatory Plea.** Vid. *Affize*, 7. *Pleaders*, 5.

**Dillon, Luke.** Vid. *Parish-Churches*, 31.

**Dingle-i-couch.** Vid. *Wine*, 2.

**Diocess.** Vid. *Schools*, 2.

**Directors.** Vid. *Dublin*, 44. *High-ways*, 23.

**Dirt.** Vid. *Dublin*, 47.

**Dirpatrick.** Vid. *Forfeited Estates*, 12.

**Disability.** Vid. *Aliens*, 2, 7, 9. *Customs*, 34. *Education*, 1. *Forfeited Estates*, 7, 8. *Leases*, 12. *Marriages*, 5. *Oaths*, 8, 14. *Papists*, 9, 25, 43, 47. *Sheep*, 5. *Sheriff*, 26, 35. *Solicitor*, 1, 23. *Uniformity*, 18, 21. *Women*, 3. *Wooll*, 9.

### Disceit.

3 E. 1. c. 29. **P**ERSONS acting, or consenting to act, in Deceit of the Court  
Eng. West. 1. or Party, to suffer a Year's Imprisonment, a Pleader to be expelled.

Officers, Criers, &c. to take no more Money than their Due, on Pain of treble Value.

2 E. 3. c. 17. **A** Writ of Deceit maintainable, as well in Garnishment, touching  
Eng. Plea of Land, as in Summons touching Land.

Vid. *Protection*, 3.

**Discharges.** Vid. *Actions Popular*, 2. *Escheators*, 3, 7. *Linen Manufacture*, 62. *Navigation*, 4. *Remembrancer*, 1. *Servants*, 8, 9, 10.

### Disclaimer.

10 Car. 1. Sess. 2. c. 6. **I**N Trespas *Quare clausum fregit*, the Defendants may plead Disclaimer, and on Tender of Amends before the Action brought Pleased and found, or Non-suit of Plaintiff, it shall be a Bar.

Vid. *Avowry*, 2.

### Discontinuance of Process.

10 Car. 1. Sess. 1. c. 14. **V**ARIANCE between the original and judicial Process, in respect of the King's Name, shall not discontinue the Suit.

Affize of Novel Disseisin, Mortdancestor, Juris utrum and Attaint, nor any Process or Suit had before Justices of Affize, Goal-delivery, Oyer and Terminer, Justice of Peace, &c. shall be discontinued by a new Commission, Association, or by altering their Names.

Vid. *Abatement*, 2. *Error*, 3, 15. *Jurors*, 13. *Justice of Peace*, 10.

**Discovery.**

**Discovery.** Vid. *Customs*, 129. *Felony*, 22. *Papists*, 59. *Sheriff*, 55. *Wooll*, 34.

**Disguise.** Vid. *Customs*, 129. *Felony*, 8. *Fish*, 18.

**Dismes.** Vid. *Tythes*.

**Dismiss.** Vid. *Civil Bills*, 2, 6.

**Dispensation.** Vid. *Cloath*, 8. *Oaths*, 11. *Rome*, 2, 3.

**Dispute.** Vid. *Artificer*, 6. *Dublin*, 46.

### Disseisin.

**D**ISSEISORS dying seized not being 5 Years in Possession <sup>10 Car 1. Sess.</sup> without Claim, &c. shall be no Descent to toll the Entry of <sup>2. c. 7.</sup> the Disseisee, &c.

Vid. *Affize*, 1, 2, 3. *Redisseisin*, 1.

**Dissenters.** Vid. *Religion*, 1, 3, &c.

**Dissolution.** Vid. *Parliament*, 40. *Religious Houses*, 1, 6, 7, 11.

**Distillers.** Vid. *Customs*, 38, 40, 117 157.

### Distress.

**O**W N E R S of Impounded Cattle may give them Food; neither Draft Cattle or Sheep to be Distrained (except for Damage <sup>51 H. 3. Eng.</sup> feazant) so long as other Goods may be found. <sup>de dist. Scetij.</sup>

None to take Distress of his own Authority, without Award of <sup>52 H. 3. c. 1.</sup> Court, on Pain of Fine and Recompence. <sup>Eng. Marl.</sup>

None shall distrain any to come to his Court, upon whom he hath <sup>52 H. 3. c. 2.</sup> no Jurisdiction. <sup>Eng. marlb.</sup>

Persons refusing the King's Officers to distrain, &c. shall be punished. <sup>Ibid c. 3.</sup>

None to drive a Distress out of the County where taken, on <sup>Ibid c. 4. &</sup> Pain of Fine. <sup>West. 1. c. 16.</sup>

No Person but the King's Officer to take a Distress out of his Fee, <sup>52 H. 3. c. 15.</sup> or in the King's High-way or common Street. <sup>Eng. Marl.</sup>

Beasts taken and wrongfully with-holden, the Sheriffs may cause <sup>Ibid c. 21.</sup> to be delivered, and grant Replevin.

None to distrain his Freeholders to answer for any thing touching <sup>Ibid c. 22.</sup> their Freeholds, but by the King's Writ.

Beasts impounded in a Fortress, the King after Notice to the Im- <sup>3 E. 1. c. 17.</sup> pounder, may demolish the same, and the Plaintiff may recover <sup>Eng. West. 1.</sup> double Damages.

Where Lords, upon Replevins, can't have Justice in inferior <sup>13 E. 1. c. 24</sup> Courts, a Writ of *Recordari* shall be granted to remove the Plea, <sup>Eng. West. 2.</sup> and the Avowry shall be upon the Seisin of the Ancestor, Sheriffs to take Pledges of the Plaintiff to prosecute his Suit, and return the Distress if awarded, otherwise to answer the Lord for the Price of the Cattle.

None



13 E. 1. c. 36. **None shall distrain another on purpose to injure him and put**  
*Eng. West. 2.* him to Expence, or to make him appear at the County Court,  
 &c. on pain of treble Damage.

13 E. 1. c. 37. **No Distresses to be taken but by Bailiffs known and sworn, on**  
*Eng.* pain of Damages.

9 E. 2. c. 9. **Distresses not to be taken in the High-way, nor in the antient**  
*Eng. Art. Cler.* Fees of the Church.

15 E. 4. c. 1. **Whosoever shall distrain contrary to the Form of the common**  
**Law, shall be adjudged a Felon.**

18 E. 4. c. 1. **A Distress taken and not released in 8 Days, may be apprais'd**  
 and sold, and in 8 Days next after, if the Arrear, &c. be not paid,  
 the Lord to keep it at the Value apprais'd, the Surplus, if any, to be  
 † *Post, 19.* restored, or if deficient, † the Tenant to be distrained again.

10, and 11 car. **By this Act, the above last Act extends to all Estates and In-**  
 1. *Sess. 4. c. 7.* terefts.

10, and 11 car. **Distress not to be driven out of the Barony, or Hundred where**  
 1. *Sess. 2. c. 25.* taken, except to a Pound Overt in the same County within 3  
 Miles; nor shall a Distress be impounded in several Places, on pain  
 of 5 *l.* and treble Damages.

**Sheriffs of Counties shall within 2 Months next, after receiving**  
 the Patent, appoint 4 Deputies, dwelling not above 12 Miles a-  
 funder, to make Replevins, on pain to forfeit 5 *l.* per Month. *Vid.*  
*Sheriff, 57.*

7 *Gul. 3. Sess.* **On insufficient Distress, the Party may from time to time di-**  
 1. *cap. 22.* strain.

**Corn in Shaves, Cocks, or loose in the Straw, in the Barn or**  
**Land, &c. may be distrained and locked up in the same Place**  
 where distrain'd, and not to be removed; and the like Proceedings  
 to be on a Distress of this Kind as in other Cases. *Vid. Rent, 25.*

4 *Geo. 1. c. 5.* **The Offender rescuing a Distress, shall on Conviction be com-**  
 mitted in Execution for such Fine as the Court shall think rea-  
 sonable, and on Non-payment, in a Month after to be sent to the  
 House of Correction.

8 *Geo. 1. c. 2.* **Any Distress taken for Rent, &c. liable to be apprais'd, shall be**  
 apprais'd by 3 or more discreet Persons of the Barony, and the  
 Landlord or Receiver may administer an Oath to them (justly and  
 indifferently, according to the best of their Judgment, to appraise  
 the same) and shall be effectual as if made in pursuance of any for-  
 mer Law.

*Vid. Amerciament, 4. Approvement, 2. Avowry, 1. Ballast, 7.*  
*Coaches, 10. Customs, 45, 57, 58. Fees, 18. Hearth-money, 10.*  
*Heriots, 1. Highways, 45. Lights, 5. Linen-manufacture, 49.*  
*Militia, 5. Rents, 6, 8, 25. Tythes, 13, 20.*

**Distribution.**

**Distribution.** Vid. *Administrator*, 5, 7. *Customs*, 141.  
**District.** Vid. *Customs*, 151. *Militia*, 12.  
**Distinguish.** Vid. *Error*, 9.  
**Disturber.** Vid. *Days in Bank*, 3. *Quar' Impedit* 3. *Religion*, 9.  
**Ditches.** Vid. *Partition*, 9.  
**Divine Service.** Vid. *Arrest*, 3. *Lord's-Day*, 8. *Spiritual Persons*, 4. *Uniformity*, 2. &c.  
**Divorces.** Vid. *Marriages*, 2.  
**Dixon, Robert.** Vid. *Poor-house*, 1.  
**Dobbs, Arthur.** Vid. *Rivers*, 36. *U*.  
**Docket.** Vid. *Judgment*, 5, 6.  
**Dodder, River.** Vid. *Dublin*, 22.  
**Dogs.** Vid. *Forrest*, 1. *Wreck*, 1.  
**Dominions.** Vid. *Ability*, 3.  
**Dombil, Sir Compton.** Vid. *Poor-house*, 1.  
**Dombil, Sir Thomas.** Vid. *Dublin*, 31.  
**Donamon.** Vid. *Parish Churches*, 31.  
**Donations and Donors.** Vid. *Appropriations*, 4. *Glebes per tot' Spiritual Persons per tot'*.

### Dongarvan.

1 **THE** Castle, Manor, &c. of Dongarvan granted to the King 34 H. 8. *Seff.*  
 as united to the Crown for ever. 2. *cap. 1.*

Vid. *King*, 4.

**Donpbrook.** Vid. *Dublin*, 35.

**Dopping, Samuel.** Vid. *First-fruits*, 18.

**Double Costs.** Vid. *Costs*, *Forgery*, 1.

**Double Damages.** Vid. *Damages*. *Admiral*, 3. *Affize*, 2. *Distresses*, 9. *Estreats*, 4. *Forgery*, 1. *Redisseisin*, 2.

**Double Value.** Vid. *Tenants*, 1.

**Doves.** Vid. *Pidgeons*.

### Dower.

1 **A** Widow immediately on the Death of her Husband, shall have 9 H. 3. c. 7.  
 her Marriage Inheritance, and she shall remain in the Chief *Eng. Mag.*  
 House of her Husband 40 Days, within which Time, Dower is to *Chart.*  
 be assigned her, and for her Dower she shall be allotted the third  
 Part of all the Lands which were her Husbands in his Life-  
 time.

2 A Woman deforced of Dower to recover Damages, viz. the 20 H. 3. c. 1.  
 value of her Dower from her Husband's Death. *Eng. Merton.*

3 In Dower *unde nihil habet*, the Writ shall not abate by the Ex- 3 E. 1. c. 49.  
 ception of the Tenant, that she received her Dower of another, *Eng.*  
 unless he shews she received it of himself.

The



## Dower.

13 E. 1. c. 4. The Wife is endowable where Lands were recovered against the Husband by Default or Covin. If a Wife be wrongfully endowed during the Minority of an Heir, he, at full Age, shall be righted. A *Quod ei deforceat* is given to Tenant, in Dower, instead of a Writ of Right.

13 E. 1. c. 34. If a Wife clope from her Husband, and continue with the Adulterer, she shall forfeit her Dower, unless the Husband willingly receive her.

6 R. 2. c. 6. A Woman ravished, and after consenting to the Ravisher, loseth Dower.

10 Car. 1. Sess. 2. c. 1. A Jointure made after Marriage, by Way of Use, the Wife may refuse the same, and demand Dower, unless made by Parliament.

Vid. *Admeasurement of Dower*. *Amerciament* 2, 8. *Days in Bank* 1, 8, 9, 10. *Error* 5. *Fine* 11. *Papist* 31. *Quod ei deforceat* 1. *Uses* 7. *Women* 5.

**Dople, John.** Vid. *Kilkenny* 1.

**Drakestown.** Vid. *Parish Churches* 34.

**Draines.** Vid. *Felony* 56. *Partition* 22.

## Drapery.

27 E. 3. st. 1. Cloths shall not be forfeited for Want of Measure.

6. 4. Eng. Woollen Cloths shall not be transported, or pay Subsidy, before they be fulled.

30 E. 3. c. 7. Frize, made of *Irish* Wooll, shall pay no Subsidy or Alnage.

Eng. Vid. *Post* 21, 22.

3 R. 2. c. 2. If the Alnager seal a Cloth not of the Size, he shall forfeit the Value of the Cloth, and his Office.

4 E. 4. c. 1. None shall put into Cloth, to be sold, any Lambs Wooll, Flocks or Cork, on Pain of 20s.

Eng. If any Difference in weaving, fulling, or any Raw, Skaw, Cockle or Flag happen, a Seal of Lead shall be hanged on the lowest Edge, that the Buyer may take notice.

*Post* 20. The Seals to be ordained by the Lord Treasurer, and may appoint as many Keepers as he thinks fit, but none to be an Alien. (Vid. *Aliens* 9. *Plantation* 2.) *Post* 20.

The Keepers to render an yearly Account of their Office, and to be rewarded by the Treasurer and Barons.

Vid. *Artificers* 10. Clothiers to pay their Workmen in Money, and not in Wares, on Pain of treble Damages.

Weavers, Fuller and Sheerman to perform their Duties, on Pain of double Damages; and Tazels, and not Cards, to be used. Chief Officers, and Justices of Peace, have Power to hear and determine Complaints, and Offences relating to Labourers Wages, and Damages, aforesaid.

The

The Lord Treasurer may farm the Subsidy and Alnage of Cloths. *7.E.4.c.5. Eng.*

The Lord Treasurer to appoint Seals with the King's-Arms on *1.R.3.c.8. Eng.* the one side, and the Arms of the Place on the other.

None to keep Tenter or other Engine in his House, to draw Cloth, on pain of 20*l.* and the Cloths, and the List to be died with the same Colour.

Faulty Cloths to be brought to the Chief Officer of the place, and be cut in 3 pieces.

Broad Cloths mixed and died, to be between 23 and 24 Yards *17. and 18.* Long, and no more out of Mill, and 6 Quarters and  $\frac{1}{2}$  Wide with- *Car. 2. Sess. 5.* in the Lifts, and 72 Pound Weight; White Broad Cloths to be *c. 15.* the same Length and Breadth, and 60 Pound Weight.

Kerseyes to be 18 Yards Long, 3 Quarters and  $\frac{1}{4}$  Wide, and 24 Pound Weight, Cottons and Bandle Cloths to be 24 Yards Long and one Yard Broad, all Bays not to exceed 44 Yards Long, one Yard Broad.

Broad Bays, 60 Yards Long and 7 Quarters Wide, Seays and Serges, 24 Yards Long and one Broad, Carpets, Hangings and Dornocks 24 Yards Long, and 6 Quarters, or 3 Yards Wide.

All other Stuffs, not to exceed 24 Yards Long and one Yard Broad, and of the Old or New Drapery, Caddows and Ruggs to be one Yard Broad.

An Office of Alnager to be appointed by Patent, to measure, view, weigh, and searh before Sale, &c. the said Goods, and see that they be not Stained or Stretched by any Engine.

The Alnager, &c. to seal the same if found Merchantable, *Ante, 6. 7.* otherwise to cut and jagg the same, at both Ends, to note the Defect; the Treasurer, &c. to appoint the Seal.

The Alnager to take the following Subsidies for the King, for Broad Cloth 4*d.* Half Cloth 2*d.* and so Ratable for Cloths of the Old Drapery, &c. according to the Lengths (*Vid. Ante, 3. Frize.*)

For the New Drapery,  $\frac{1}{4}$  per 4 Pound Weight, and so in Proportion

Clothiers, &c. selling or offering to Sale, or ship, &c. the said Commodities before viewing, &c. sealing and allowing, to forfeit the same.

Alnager &c. being Negligent in his Duty, to forfeit 10*l.* 20*l.* and 30*l.* for the First, Second and Third Offences to be prosecuted by Indictment, Presentment or Information in the Superior Courts, Assizes or Sessions.

Clothiers, &c. to weave their Mark into the Head of the Cloth, &c. on Pain of Forfeiture.

The Alnager not to searh, &c. Cloths, &c. not made for Sale, on Pain of 5*l.*



**Drapery.**

The Alnager, &c. to appoint convenient Places in Cities, Towns, &c. and other Places for Measuring, &c. all Draperies, &c. and Persons not obliged to come above 6 Miles for that purpose.

The Alnager to appoint Deputies in convenient Places, and may at all times search all Ships, &c. Fairs and Markets, and in the Day-time to enter with a Constable into Houses, &c. and stay such Draperies till the Owners have answered the Contempt. Persons resisting to forfeit, not above 10 l. at Assizes or Sessions, &c.

Woollen Cloths, not to be pressed with a hot Press, on pain of Forfeiture.

Officers of the Customs, not to suffer any Drapery Unsealed to be exported, on pain of Forfeiting their Office, and Imprisonment being Convict in Courts at Assizes or Sessions.

All Mayors and other Officers to be assisting to the Alnager in the Execution of his Office.

Persons Counterfeiting, Setting to, or taking off, the Alnager Seal from any Draperies, to forfeit 10 l. Convicted in Court of Record at Assizes or Sessions.

Vid. *Fees*, 3. *Wooll*, 14. 15.

**Drawback.**

12. Geo. I. c. 28.  
Sect. 20. Eng.  
6. Ante, c. 1.

**N**O Drawback allowed for any Tobacco or other foreign Goods from England or Ireland, to the Isle-man.

A Drawback allowed for all Beer and Ale exported, relanding is forfeited, and 50 l. per Cask.

Vid. *Certificate-Goods*, 2. *Customs*, 123, 124, 143. *Hops*, 4. *Lenen Manufacture*, 39. *Rock-salt*, 1. *Tobacco*, 5.

**Draps and Carg.** Vid. *Coaches*, 9. 10. *Poor-house*, 129.

**Drogheda.** Vid. *Ballast*, 10. *Corn*, 16. *Customs*, 13. *Parliament*, 15. *Recognizance*, 7. *Rivers*, 23. *Wooll*, 22.

**Drogheda, Carl.** Vid. *Poor-house*, 1.

**Droves.** Vid. *Lord's Day*, 3.

**Drowning.** Vid. *Coroners*, 3.

**Druggets.** Vid. *Wooll*, 15.

**Druggs.** Vid. *Customs*, 16.

**Drumaul.** Vid. *Parish-Churches*, 2.

**Drumenagh.** *Ibid.* 29.

**Drumgagh.** *Ibid.* 24.

**Drumgoon.** *Ibid.* 26.

**Drumrath.** *Ibid.* 6.

**Drumtemple.** *Ibid.* 16.

**Drunkennes.** Vid. *Ale-Houses*, 4.

**Drununclet.** Vid. *Parish-Churches*, 25

Dublin

**T**HE Lord Mayor and Sheriffs of *Dublin*, and others of the 4 Geo. I. c. 11.  
Aldermen, &c. may, from time to time, by Notice in Wri- Post 43.  
ting, direct the new paving, raising, &c. the Publick Pavements  
in said City and Liberties, by the Chief Tenant, or Owner, if  
waste or not built, to be done within † 15 Days after said Notice: † Post 17.  
\* This to extend to all other Cities, &c. \* Post 21.

No Person (except on the Keys) to be obliged to extend his  
Pavement further than the Extent of his House, Ground, &c. on  
the middle of the Street or Lane.

The Lord Mayor and Seneschals, &c. on the Tenants neglect- Post 17.  
ing for 40 Days, may cause the same to be done, and shall, by  
Warrant to distrain, cause the Person to pay the usual Price, not  
exceeding 20 s. a time.

Lord Mayor, &c. may remove all Encroachments or Nuisances,  
in making Doors, Stairs to Cellars, in the Streets, &c. and may,  
on Refusal for 40 Days after Notice, employ Workmen to alter  
the same, at the Tenant's Charge.

Persons aggrieved may remove such Orders, by *Certiorari*, into Post 18.  
*B. R.* and the Determination there to be final.

No Person to lay Coal-Ashes, or Filth, in the Streets, on Pain  
of 5 s. before a Justice of Peace.

Inhabitants to sweep their Streets on the Days the Scavenger  
goes about, that the Dirt may be ready for him, on Pain of 1 s.  
before a Justice of Peace.

The Scavengers to go about 2 Days in the Week in every Street.

Minister and Church-Wardens, &c. in every Parish, yearly, on  
the first Day of *January*, to appoint a Person to take care of the  
Publick Pavements before the Church and Church-Yards, and to  
cause the Filth, &c. to be carried away: The Person so employ-  
ed, to be subject to Penalties, as on the afore-mentioned Offences.

10 Not to extend to Persons building, &c. and laying Dirt in the  
Streets, if taken away in 48 Hours.

11 Any Person may take away Dung, &c. found in High-Ways,  
Streets or Lanes, and apply the same to his own Use: The De-  
fendant may plead the General Issue, and recover treble Costs, if  
fined for so doing.

12 The Water from the Tops of the Houses to be conveyed to the  
Ground in Pipes, &c. close to the Sides, &c. of the House, on  
Pain of 10 s.

13 Persons making Holes in the Streets, to rail in the same before  
Night, and continue Lanthorns burning there, on Pain of 5 s. for  
each Default.

14 Persons driving Carts, Drays or Cars (except *Ring's End* Cars) and  
riding on them in the Streets, to forfeit 10 s. unless another be on Foot  
to guide the same.



*Vid. Straw.*

Every Car-load of Hay to be sold, to weigh 400 Weight, 112 Pound to the Hundred, on Pain of 2*s.* 6*d.* and Persons using Artifice or Deceit to make a Load be the Weight, to forfeit as aforesaid.

The general Issue may be pleaded on this Act by any Defendant sued for executing the same.

6 Geo. I. c. 15.  
Post. 43.

By this Act the Lord Mayor and Sheriff, and every Alderman and Deputy in his Ward, may Regulate the Pavement, and the Notice to the Tenant by the former Act in 1 *Ante*, is here shortened to 14 Days, and on Refusal, to forfeit 5*s.*

*Ante* 5.

Persons aggrieved may appeal by Petition to the Quarter Sessions, and the same to be final.

None to lay Ashes, &c. on the waste Ground called the *Little Green*, back of *Caple-street*, or *Dunghills*, on Pain of 10*s.* before a Justice of Peace.

Post 48.

The Grand Jury of the Leet of *St. Sepulchres*, *Thomas-Court* and *Donore*, yearly after *Michaelmas*, to present a fit Scavenger, and after *Easter* to ascertain his Salary, and then to present 2 Applotters, who shall be sworn to applot the Inhabitants, and on Refusal to pay such Applotments, the Seneschal to issue a Warrant to distrain for the same, &c.

So much of this and the said former Act as relates to the publick Pavements, and keeping clean the Streets, &c. of *Dublin*, shall extend to all Cities and Towns, &c. and the Mayors and two Aldermen to have the same Power as the Lord Mayor and one Sheriff of *Dublin* have. (Liable to the like Appeals.)

6 Geo. I. c. 16.

The Lord Mayor, Commons, and Citizens of *Dublin*, and their Successors, to enjoy the Water-Course from the River *Dodeer* through *Temple-Oge*, and have Liberty to uphold the Banks, &c. and to stop any Cuts, &c. made within 20 Years for the diverting the said Water elsewhere: Persons interrupting herein to forfeit 10*l.* by Action of Debt or Civil Bill, a Moiety whereof to the *Blew-Coat* Hospital, &c.

The Lord Mayor, &c. may change the said Water-Course, by making Cuts, or laying Pipes through Grounds, &c. and Satisfaction to be made to the Owners by Commissioners appointed, or Jury, if the Owners require it.

Commissioners to be 6 of *Dublin* and 6 of the County of *Dublin*, of 100*l.* per Annum, and may examine Witnesses and determine the Matter, and six Days Notice to be given to the Parties of such Meeting.

Before Satisfaction agreed upon, no Grounds, &c. shall be digged up.

No

26 No Tucking-Mill to be continued on the said Water, from Temple-oge to Dublin, on pain of 20 l. per Month, but Satisfaction to be first made to the Owner.

27 None to wash, &c. Cloaths, &c. in said Water, on pain of forfeiting the same, and 40 s.

28 No House of Ease to be continued thereon, on pain of 5 l.

29 No Mill of any Kind hereafter to be erected on the said Water, on pain of 200 l. and making Use of such Mill erected, to forfeit 10 l. per Month: None to dam or stop said Water in May, June, July or August, on pain of 10 l.

30 None to break the Banks, or divert the said Water-course, on pain of 5 l.

31 Sir Thomas Domvil, and his Heirs, may distrain for the Duty of Port Corn in all Mills on the said Water liable thereto, or proceed, by Civil-Bill, in the Quarter-Sessions, wherein no Appeal shall lie.

32 Adam Jackson to change his Tucking-Mill into a Corn-Mill, and to have 100 l. in Satisfaction. The general Issue may be pleaded by Defendant's executing this Act.

33 Parish-Cesses in Dublin to be applotted according to the Value of the Houses; and where no Valuation is made, according to the Rent, or according to the Rent the House might set for. 10 Geo. 1. c. 3.

34 Houses, set at less Value than the Valuation without Fine, to pay according to the reserved Rent, but the Tenant, claiming such Allowance, is to make Oath of what Rent he pays, and whether there was any Fine, or other Consideration.

35 No Ships, &c. to be careened, nor Fire made to melt Pitch, &c. between Bloody-bridge and the Ferry-slip, nor from thence to Dony-brook, nor within 30 Yards of a House or Ship, on pain of 5 l. to the Informer and Poor.

36 No Master, &c. to keep a Fire on Board within 20 Yards of the Keys, where Houses are or shall be built, on pain of 40 s.

37 The general Issue may be pleaded, and treble Costs given, on this Act, to Persons sued for executing the same.

38 This Act is continued to the 25th of March, 1737, by 3 Geo. 2. c. 5.

39 Persons keeping above 100 Weight of Gun-Powder in any House in Dublin (except the King's Stores) to forfeit 100 l. two thirds to the Informer, the other to the Work-house. 1 Geo. 2. c. 26.

40 Importers of Gun-Powder, lodging any Quantity within a Mile of Dublin, or leaving it on the Custom-house Key above 24 Hours, to forfeit 100 l. to the Use above last mentioned.



The Lord Mayor, &c. on Complaint, to issue his Warrant to a Bailiff, &c. empowering them to enter and examine such House, and see what Quantity of Powder there is; Persons refusing such Bailiff, or hindering the Execution of such Warrant, to forfeit 100*l.* to be distributed, two Thirds to the Bailiff, one to the Work-house.

Said Penalties are recoverable by Action of Debt, &c. Persons may build a convenient Ware-house within said Limits, for Powder by Licence.

3. Geo. 2 c. 13. By this Act the Lord Mayor and Seneschals are to execute the said Acts, *Ante*, 1. and 17. and the other Assistants are discharged.

The respective Church Wardens and 2 Directors of the Watch, are to perambulate the City, &c. four Times a Year, and report to the Lord Mayor and Seneschals the Condition of the Pavement, &c.

Complaint to be made by any Person to any of the Judges, against the Lord Mayor or Seneschals neglecting to execute the said Acts, and being Guilty to be fined not exceeding 5*l.*

Disputes arising about the Pavements or Levels, to be determined and appointed by the Lord Mayor, &c.

Every Person carrying Dirt out of the Streets, on neglect of the Scavenger, to have 5*s.* per Cart-Load for the same, and may be stoppt out of the Scavengers Salary.

*Ante* 20.

When a Person is presented in the Leet of *Thomas-Court* and *Donore*, to be a Scavenger, the Grand-Jury may at the same Time ascertain what the Inhabitants shall pay for cleansing the Streets yearly, and to present Applotters as *Ante*, 20.

Vid. *Actions Popular*, 4. *Butchers*, 4. *Civil-Bills*, 20. *Customs*, 13. *Fees*, 26. *Fire*, 4. *Hides*, 1. *Highways*, 42. *Marshal*, 3. *Nis Prius*, 5. *Parliament*, 15. *Porters*, 1. *Recognizance*, 7. *Trial*, 6. *Watches*, 12. *Wooll*, 22.

Dublin, Archbishop. Vid. *Archbishop of Dublin*.

### Dublin Castle.

2 E. 4. c. 1.

OUT of the Profits of the Hamper, the King's chief Place and Common Pleas, 40*s.* per each, and 3*l.* out of the *Exchequer*, 20*s.* from the Master of the Mint, to be paid yearly to the Clerk of the Works of the Castle, and to account for the same yearly before the Barons.

**Dublin, Recorder, Aldermen and Sheriffs.** Vid. *Poor-house*, 1.

**Dublin Vicar-General.** Vid. *Vicar-General of Dublin*.

**Ducking Stool.** Vid. *Grand-juries*, 2.

**Ducks.** Vid. *Game*, 8.

**Dues.** Vid. *Parish-dues*.

**Dukes.** Vid. *Abatement*, 2.

**Duke of York.** Vid. *Post-Office*, 3.

### **Duncannon-Fort.**

**T**HE Trust of the *Duncannon-Fort-Lands*, being, by Descent, <sup>9 Gul. 3. Sess.</sup> vested in the Lady *Charlotte Butler*, as only Child of the Earl of *Aran*, who survived the former other Trustees, is, by this Act, <sup>2. c. 15.</sup> divested out of her, and vested in *Phil. Savage, Thomas Brodrick, Col. William Ponsonby, Sir John Mason and Alan Brodrick.* (*The Right of others saved.*)

**Duncannon, Lord Viscount.** Vid. *Poor-house*, 1. *Rivers*, 36, L.

**Dundalk.** Vid. *High-ways*, 79. *Wine*, 2.

**Dung.** Vid. *Dublin*, 11. *Infection*, 1.

**Dunleer.** Vid. *High-ways*, 66.

**Duplicates.** Vid. *Certificate Goods*, 1. *Fees*, 41. *Hops*, 3.

**Durante bene placito.** Vid. *Officers*, 2, 7.

### **Duress.**

**A**LL Obligations, forced by Duress upon Ecclesiastical Judges <sup>1 R. 2. c. 13.</sup> and others, to restrain them from suing for Tythes, &c. void.

Vid. *Appropriation*, 1.

**Dutchess.** Vid. *Trial*, 1.

**Duty.** Vid. *Customs and Custom free*.

**Dwelling-house.** Vid. *Clergy*, 6, 11.

**Dying Wood.** Vid. *Ireland*, 7.

**Dyers and dying.** Vid. *Hedge-breakers*, 5. *Wood*, 3.

**Earls.** Vid. *Abatement*, 2. *Captains*, 5. *Judgment*, 1.

**Earne.** Vid. *Rivers*, 21.

### **Earnest.**

**I**F any Person in Fair or Market give Earnest for any Beasts, <sup>2 An. Sess. 1.</sup> &c. if the Seller does not declare it to be a Bargain, after the <sup>6. 15.</sup> Earnest struck, he may sell the same Cattle, &c. to any other Person, any By-Law of any Corporation notwithstanding.

No



**Earnest.**

No Magistrate, &c. shall order such Seller to stand to any such Bargain (tho' he received Earnest, as aforesaid) not declaring his Assent, on Pain of 5*l.* to the Crown and Informer.

No Person selling Cattle, Lambs, Hogs, &c. in Fairs, &c. shall be obliged to wait for the Buyer above 2 Hours after Earnest given, and on Default in that Time, to lose his Earnest, and the Cattle may be sold to another; and if he can't sell them, he may recover Damages against such Buyer. (Vid. *Butcher*, 6 & 7, for the Determination of the Offence;) the Continuance and General Issue on this Act.

Vid. *Contracts*, 1.

**Forg.** Vid. *Forgery*, 1. *Vagabonds*, 9.

**East-India Company.** Vid. *East-Indies*, 1.

**East-India.**

3 Geo. 2. c. 14.  
Sect. 9. Eng.

**S**HIPS, Vessels, &c. and Goods belonging to any other of his Majesty's Subjects, trading to the *East-Indies*, without Licence from the *East-India Company*, forfeited. (Not to extend to the South-Sea or Levant.)

N. B. The Word (Ireland) not mentioned in this Stat. yet binds the People.

The above Act is continued for 7 Years, by 5 Geo. 2. c. 29.

**East-India Goods.**

5 Geo. 1. c. 11.  
Sect. 12. Eng.

**S**ILKS, Bengals, Stuffs, Calicoes and Muslins, of the Manufacture of *Persia*, *China*, or *East-India* imported to *Ireland*, from any Place other than *Great-Britain*, forfeited, and the Ship, to be prosecuted in the *Exchequer*; and Officers of the Customs in *Ireland* conniving at such Importation, &c. to forfeit 500*l.* and be incapable of serving the King.

7 Geo. 1. c. 21.  
Sect. 9. Eng.

*East-India Goods*, imported into *Ireland*, *Jersey*, *Man*, &c. except such as are laden in *Great-Britain*, forfeited, together with the Ship, &c. and may be seized and prosecuted in *Dublin* or *Westminster*.

Officers conniving or delaying Prosecution, to forfeit 500*l.* to the King and Prosecutor, and be incapable, as ante, 1.

Vid. *Isle-man*, 1.

**Ecclesiastical Courts.** Vid. *Administrator*, 9. *Citation*, 2. *Spiritual Courts*.

**Ecclesiastical Judges.** Vid. *Ability*, 1. *Citation*, 3, 4. *Ordinary*, 2. *Spiritual Persons*, 1, 3.

**Ecclesiastical Jurisdiction.** Vid. *Papists*, 52. *Rome*, 19, 20.

**Ecclesiastical Laws.** Vid. *Tythes*, 5.

**Ecclesiastical**

**Ecclesiastical Livings.** Vid. *Spiritual Persons* 5, 23.  
**Ecclesiastical Persons.** Vid. *Spiritual Persons*. *First-Fruits* 17.  
**Ecclesiastical Office of Promotion.** Vid. *Spiritual Persons* 5.

### Edystone.

**O**NE Penny *per Tun*, Inwards and Outward, to be paid by all Ships (except Coasters, who only pay 2 s. in the whole) and 2 d. *per Tun*, by Aliens, passing by the Light-House. 4 An. c. 20. Eng.

The above Act of the 4 An. to extend to *Ireland*; and no Customs-House Officer, in *Ireland*, to make out a Discharge, &c. till the Duties are paid. This, and the 4 An. to be deemed Publick Acts in *Ireland*; and the Duty recoverable in any Court of Record. 8 An. c. 17. Eng.

### Education.

**P**ERSONS going, or sending Children, or remitting Money for their Maintenance, abroad, to be trained up in *Popery*, or sending Money, by Way of Charity, to Religious Houses, being thereof convicted, shall be disabled to sue in any Court of Law or Equity; or be Guardian, Executor or Administrator; or to take a Legacy, Deed of Gift, or bear any Office; and shall forfeit Goods and Lands, &c. for Life. 7 Gul. 3. Sess. 1. c. 4.

Justice of Peace, upon Information given, may cause all such Persons to be brought before him, examine them upon Oath, and bind them, with Sureties, in 200 l. or more, to appear at the next Quarter-Sessions, where the Offender resides, or did last reside, or is taken, and return said Examination and Recognizance in open Court; an Information to be fram'd, and answered instantly: If the Offence appear, the Offender must prove where the Child is, to what Purpose such Money was sent; the doing the same, shall be deemed to be done contrary to this Act, if the Party prove not the contrary Purpose; if (on Failure of such) or on Proof, it appear the Offence was committed, the same being entered, shall be a Conviction.

Party aggrieved, may appeal to the next Assizes for the said County.

Persons so sent abroad, and convicted, may, in 12 Months after returning, or after 21 Years of Age, on Motion, in *B. R.* have a Tryal; and if he prove not the contrary, it shall be deemed he was sent contrary to this Act; and if acquitted, he shall be discharged of all Disabilities, &c. except the Forfeiture of Goods, Chattels, and Profits of Lands.

Persons so sent, if, in 6 Months after returning, they take the Oaths, &c. in *Chancery*, they shall be restored (except the Personal Estate, &c.)



## Education.

If such Persons relapse to *Popery*, or after refuse to take the Oaths, &c. being tendered by the Justices in Sessions, he shall incur the Disabilities aforesaid, *ante* 1.

The Offences may be heard and determined in *B. R.* Assizes, &c. but Acquittal at Sessions, or on Appeal to the Assizes, is a Bar to further Prosecutions.

Justices of Assize, Sessions, &c. to give this Act in Charge, and the 28 *H. 8. c. 15.* and 12 *El. c. 1.*

2 *An. Sess. 1.*  
c. 6.

If any *Papist* send, or suffer to be sent, any Child under 21 Years of Age (Sailors, Ship-Boys, or Apprentices of Merchants, excepted) into *France*, &c. without Licence, he shall incur the Penalties in the above Statute, *ante* 1.

Judges, &c. or Justices of Peace, may convene the Parents, &c. and require said Child to be produced in 2 Months; on Failure whereof, or on reasonable Cause, to obtain Time till next Sessions; or not proving said Child to be in *England* or *Scotland*, then such Child shall be deemed to be in Foreign Parts, contrary to the 7 *Gul. ante* 1. and shall suffer accordingly.

Vid. *Court of Wards*, 8. *Justice of Peace*, 12. *Solicitors*, 23.

**Cels.** Vid. *Fish*, 5, 11.

**Eggs.** Vid. *Game*, 8.

**Eglisht.** Vid. *Parish Churches*, 12.

## Egyptians.

22 *H. 6. c. 10.*  
*Eng.*

IF any, calling themselves *Egyptians*, come within this Realm, they shall forfeit all their Goods, and shall depart within 15 Days Notice, on Pain of Imprisonment.

1 & 2 *P. & M.*  
c. 4. *Eng.*

None to transport *Egyptians* into *England* or *Wales*, on Pain of 40*l.*

N. B. Ireland not herein mentioned, yet binds the People to the Penalty.

Vid. *House of Correction*, 7.

**Ejectment.** Vid. *Costs*, 3. *Error*, 5. *Rent*, 9, 14, 18, 19, 27.

**Election.** Vid. *Coroner*, 5. *Corporation*, 7, 8, 9, 10. *Galway*, 5. *Highway*, 57. *Parliament*, 2, 4, 45. *Sheriffs*, 3, 7.

## Election of Ecclesiasticks.

3 *E. 1. c. 5.*  
*Eng. West. 1.*  
9 *E. 2. c. 14.*  
*Eng.*

None to disturb free Elections by Force of Arms, &c. on Pain of great Forfeiture.

There shall be free Election for the Dignities of the Church.

Election

## Election of Lord Lieutenant.

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- 1 **U**PON the Avoidance of the King's Lieutenant of Ireland, by 33 H. 8. *sess.* Death, Surrender, &c. The Chancellor, by the King's Writ, shall assemble the Privy-Council, and chuse, by a Majority of Voices, an *Englishman*, being no Spiritual Person, to be Governor; or if none such, to chuse two out of the Council.
- 2 The Chancellor thereupon, to make out Letters Patents to enjoy the same, till the King appoints one; all other Methods, except by the King's Patent, to be void.
- Eligit.** Vid. *Execution*, 1.
- Ell.** Vid. *Linen-Manufacture*, 9.
- Elopement.** Vid. *Dower*, 5.
- Elphin.** Vid. *Poor-House*, 1.
- Embracery.** Vid. *Confirmation*, 9. *Decies tantum*, 2. *Execution of Statutes*, 1. *Maintenance*, 4.
- Enchantment.** Vid. *Witchcraft*, 1.
- Encroachments.** Vid. *Dublin*, 4.
- Endowments.** Vid. *Glebes*, 1, 9, 10, 15. *Parish-Churches*, 44. *Spiritual Persons*, 26.
- Enemp.** Vid. *Armour*, 2. *Breakers of Leagues*, &c. 3.
- Engines.** Vid. *Drapery*, 13. *Felony*, 56. *Fire*, 5. *Sheep*, 11.
- England.** Vid. *Ability*, 2, 10. *Cattle*, 1. *Cloath*, 10. *Confirmation*, 6. *Crown*, 1, 2. *Egyptians*, 2. *Felony*, 42. *Irishmen*, 1, 2.

## English Language.

- 1 **E**VERY Subject in Ireland shall speak *English*, and procure their Children to speak it. 28 H. 8. c. 15.
- 2 Lords Spiritual and Temporal offending, to forfeit 6 l. 13 s. 4 d. Knights, 3 l. 6 s. 8 d. Gentlemen and Merchants, 40 s. Freeholders and Yeomen, 20 s. Husbandmen 10 s. and all others, 3 s. 4 d. A Moiety to the King, the other to the Prosecutor.
- 3 Spiritual Promotions chargeable with First-fruits, becoming void, the Patron to nominate, &c. one that can speak *English*; if he can't find one in three Months, to make Proclamation for such, four Market-days, and in five Weeks, if none appear that can speak *English*, to present any other Presentation otherwise done, to be void, and the King to present, for that time, one that can speak *English*, otherwise his Presentation to be void.
- 4 Archbishops, &c. giving Ordination, to swear the Parson taking Orders, to learn *English*, and to instruct those of his Cure, and preach in *English*, and use *English* Habit, and keep an *English* School.

† Bishops, &c. offending, to forfeit 3 l. 6 s. 8 d. and the Parson in Orders, to forfeit accordingly; and for the third Offence, to forfeit his Promotion.

Vid. *Bows*, 1. *Law Proceedings*, 5. *Pleadings*, 1. *Uniformity*, 11.



**Englishmen.** Vid. *Apparel*, 1. *Bows*, 1. *Election of Lord Lieutenants*, 1.

**English Statutes.** Vid. *Confirmation*, 6, 9. *Customs*, 10. *Main-tenance*, 3. *Provisors*, 7. *Purveyors*, 2. *Rape*, 4. *Recognizance*, 5. *Treason*, 9. *Vagabonds*, 11.

**Erms.** Vid. *High-ways*, 80.

**Erms Mar Saint.** Vid. *Parish-Churches*, 29.

**Enquests.** Vid. *Challenge*, 2. *Coroners*, 3. *Escheators*, 2, 8. *Essoin*, 5. *Glebes*, 25. *Indictments*, 1, &c. *Jurors*, 1. *Riots*, 4. *Sheriff*, 14.

**Enquiries.** Vid. *Escape*, 1. *Forcible Entry*, 3. *Forfeited Estates*, 23. *Fraudulent Conveyance*, 11. *Jeofails*, 10. *Outlawries*, 4. *Rape*, 2, 3. *Sheriff*, 28.

**Enrolments.** Vid. *Inrolments*.

**Entertainment.** Vid. *Parliament*, 38.

**Entrance.** Vid. *Customs*, 40, 51, 54, 85, 90, 133, 139, 158.

### Entry.

52 H. 3. c. 29.  
Eng. Marl.

**W**HEN so many Alterations have been, that the Writ of Entry cannot be made in the usual Form, the Plaintiff to have a Writ of Entry, *Sur disseisin en le past*.

6 E. 1. c. 7.  
Eng. Gloc.

If a Woman alien her Dower in Fee, or for Life, the next Heir, &c. to recover by Writ of Entry.

Vid. *Cui in Vita*, 1. *Disseisin*, 1. *Exchequer*, 7. *Fine*, 17. *Limitation*, 7. *Voucher*, 1.

**Entries.** Vid. *Customs*, 12, 24, 33, 49, 86, 89, 150. *Judgments*, 5, 6. *Recognizance*, 16, 17. *Wool*, 13.

**Episcopal Ordination.** Vid. *Ordination*.

**Episcopal Union.** Vid. *Parish-Churches*, 61.

**Equity of Redemption.** Vid. *Limitation*, 19. *Mortgages*, 1, 2. *Papists*, 45.

**Erronnought.** Vid. *Cattle*, 3.

### Error.

10 E. 3. Stat.  
2. c. 3. Eng.  
31 E. 3. c. 32.  
Eng.

**E**RROR before the King's Steward and Marshal, to be redressed in B. R.

The Lord Chancellor and Treasurer, with the Assistance of the Justices and Barons of the *Exchequer*, &c. to examine and correct erroneous Judgment in the *Exchequer*.

15 Car. 1. c. 5.  
Post. 15. 16.

The not coming of the Lord Chancellor or Treasurer, at the Day of Adjournment, in any Error depending in the *Exchequer-Chamber*, shall be no Discontinuance of the Writ; if any one of them, or both the Chief Justices, or Vice-Treasurer be there.

No

No Execution, after Verdict, shall be stayed in the Courts of 17 & 18 Car. Dublin or Tipperary by Writ of Error, in personal Actions, Dower, 2. Sess. 5. c. 12. or Ejectione firme, unless a Recognizance (which see in Tit. Execution) be first acknowledged.

The Court, upon affirming, &c. the Judgment, to issue a Writ to enquire of the Mesne Profits and Damages, by Waste committed, after the first Judgment in Dower or Ejectment, and Execution to be awarded for the same.

Not to extend to Writs of Error to be brought by Executors, Administrators; nor to Actions popular, or penal Statutes, Indictments, &c. Post, 10.

By this Act the above is made perpetual.

7 Gul. 3. Sess.

The Death of either Party, between Verdict and Judgment, shall be no Error, so as Judgment be entered in 2 Terms after.

1. c. 7.

There need not be 15 Days between the Test and Return of a *Venire Hab' Corp' Jur'*, or *Distring' fier' Fac'*, or *Cap' ad Satisfac'* in personal Actions or Ejectment, but not to extend to a *Cap' ad Satisfac'* where Exigent is to be awarded, nor where Bail is liable. 7 Gul. 3. Sess. 1. c. 25.

Enacted, that the Stat. 10. Car. 1. (which see in Execution, 4.) be in force in Ireland. Recognizance to be entered into on Error brought in Actions of Debt, Case, Promise for Money, Trover, Covenant, Detinue and Trespass. A Saving to Actions popular, as in 6 Ante.

The Court may amend any Variance between the original Record and the Writ of Error brought after Verdict, the Judgment not to be stayed or reversed for any Fault in Form or Substance in any Bill or Writ, or Variance in such Writs from the Declaration or Proceedings. 6 Geo. 1. c. 6.

Not to extend to Appeal of Murder, Indictment, &c.

No antient Judgment to be reversed in real or personal Actions for Error, unless prosecuted in 20 Years after such Judgment.

A Saving for Infants, Fem-coverts, &c. and 5 Years after the Impediment allowed.

If any one of the Chief Justices come to the Exchequer Chamber at the Day of Adjournment, there shall be no Discontinuance. 8 Geo. 1. c. 6. Ante, 3.

The Lord Chancellor, in the Absence of the Treasurer and Vice, by Consent of both or either of the Chief Justices, may give Judgment in Error in the Exchequer Chamber, and both, or either of the said Justices, in the Absence of the Lord Chancellor, may issue Process to compel the Plaintiff to assign Errors there. 1 Geo. 2. c. 37. Ante 3, 15.



## Error.

Vid. *Amendment*, 3. *Attainder*, 10. *Attaint*, 4. *Costs*, 4, 7. *Damages*, 2, 3. *Execution*, 4. *Fine*, 16, 18. *Habeas Corpus*, 2. *Jeo-fails*, 1. *Judgment*, 2. *Limitation*, 8. *Outlawries*, 1. *Proclamation*, 3. *Rent*, 9, 18, 22.

## Escapes.

1 R. 3. c. 3.  
Eng.

**J**USTICES of Peace have Power in Sessions to enquire of Escapes of Felons.

3 H. 7. c. 1  
Eng.

Where a Person is killed in the Day-time, and the Murtherer escapes, the Town to be amerced.

Vid. *Civil Bills*, 13. *Coroners*, 6, 9. *Customs*, 61. *Debt*, 2. *Felony*, 13, 36. *House of Correction*, 5. *Perjury*, 5. *Prisoner*, 2, 6, 7. *Sheriff*, 31.

## Escheator.

14 E. 3. c. 8.  
Eng. vid. post.  
11.

**E**SCHEATORS to be chosen by the Chancellor, Treasurer and Chief Baron, calling to them the 2 Chief Justices, and to remain but one Year in the Office.

34 E. 3. c. 13.  
Eng.

Escheators Enquest to be taken by good and lawful Men, resident in the County, and indented between them and the Jurors.

42 E. 3. c. 5.  
Eng. post. 9.

Escheators to have 20 l. per Annum in Fee, and to execute the Office in Person. On the putting in another, the Office determines. vid. post, 9. a Deputy allow'd.

9 H. 5. c. 8.  
Eng.

Escheators may enquire of the Counterfeiters of Weights, and punish them.

8. H. 6. c. 16.  
Eng.

Taking other Enquests than such as are impannelled by the Sheriff, to forfeit 40 l. Lands seized by Escheators not to be let to farm before the Office be fully returned.

18 H. 6. c. 6.  
Eng.

No Lands to be granted before the King's Title be found by Inquisition, nor in a Month after, but to a Traverser.

18 H. 6. c. 7.  
Eng.

Escheators to return an Office found into the Chancery or Exchequer, within one Month, on pain of 40 l. and to answer Damages to the King.

23 H. 6. c. 17.  
Eng.

Escheators to take the Enquest in a Month after delivery of the Writ.

12 E. 4. c. 9.  
Eng. ante 3

The Deputy or Farmer shall be a sufficient Man, and shall certify his Deputation, into the Exchequer in 20 Days, on pain of 40 l. vid. ante, 3. no Deputy allowed.

Justices of Peace have Power to hear and determine Defaults of Escheators, and give Judgment to recover the Forfeitures.

Not to restrain Corporations, having Power by Charter, to appoint Escheators.

## Escheators.

III

2 All Statutes made against Escheators, to be of equal Force against Commissioners, but not to extend to the Judges, Barons, Serjeant at Law, or Attorney General.

Vid. *Exchequer*, 1. *Sheriff*, 5.

**Escheats.** Vid. *Bishop*.

**Escuage.** Vid. *Court of Wards*, 5.

## Essoin.

AFTER Issue joined in Dower, darrein Presentment, or *Quare Impedit*, one Essoin, or one Default only to be allowed, and if the Party come not, the Enquest to be taken and Judgment to be given.

In Affize, Attaint, and *juris utrum*, after Appearance the Tenant not to be essoined.

Essoin *ultra mare* not to be allowed, but if the Tenant be within the four Seas, to be returned into a Default.

No Essoin for an Appellant in case of the Death of a Man.

An Essoin may be allowed the next Day after Enquest, but not at any of the other Days following.

Essoin lies not where Lands are taken into the King's Hands, nor where the Party is distrained by his Lands, nor where Judgment is given thereupon, nor where the Party was seen in Court, nor where the Party essoined himself another Day, nor where the Sheriff is commanded to make the Party appear; an Essoin *de Servitio regis* lieth, not where the Party is a Woman, unless a Nurse, Midwife, &c. lies not in Dower, nor where the Attorney was essoined, nor where the Party has an Attorney in his Suit, nor where the Summons is not returned.

Vid. *Appeal*, 4. *Affize*, 4. *Executors*, 2. *Forfeited Estates*, 9. *Forgery*, 2. *Gaming*, 1, 7. *Jurors*, 14. *Quare Impedit*, 4.

**Estates.** Vid. *Ability*, 7, 8, 11. *Assignment*, 1.

## Estates at Will.

ALL Leases except for 3 Years, whereon 2 Thirds of the Rent is reserv'd, Estates, Interests, &c. made by Parole or Livery of Seisin only, and not put in Writing, and signed by the Parties, shall have the Force of Leases at will only.

## Estates for Lives.

THE *Cestui-que-vie*s remaining beyond Sea, or absenting themselves within the Kingdom for 7 Years, and no sufficient Proof being made of their Lives, on an Action by the Lessor, &c. shall be deemed to be dead.



**Estates for Lives.**

A Juror being Lessee for Lives, is a good Cause of Challenge on such Trial.

If the *Cestui-que-vie*, shall return after Eviction, or proved to be living, the Lessee shall be restored, and have Account of the Profits.

**Estates pur autre vie.** Vid. *Wills*, 10.

**Estovers.** Vid. *Affize*, 5.

**Estreats.**

51 H. 3. Eng.  
Stat. Scij.

**J**USTICES, Commissioners, &c. to deliver Estreats into the Exchequer yearly after Michaelmas.

3 E. 1. c. 44.  
Eng. West. 1.

If a Tenant or Defendant make default after the first Attachment returned, the great Estreat or Distress shall be awarded, &c.

15 E. 2. Eng.

All Fines to have Writs, and are to be sent into the Exchequer, and in the Estreat in order as they are entered in the Chancery Rolls, next to them shall be entered Charters, Letters, Patents, &c. in which any Rent is reserved to the King.

42 E. 3. c. 9.  
Eng.

The Party Chargeable by Estreats of Green-wax upon Payment, to see the Schedules under Seal, &c. and if it be not totted by the Sheriff, he shall pay double Damages.

14 R. 2. c. 11.  
Eng.

Vid. Sheriff, 17.  
and Wood 7.

Fees 24.

7 H. 4. c. 3.  
Eng.

Double Estreats of Fines, &c. at the Sessions, to be made, containing the Names of the Justices, and one of them to be delivered to the Sheriff by Indenture, out of which he is to satisfy the Allowance to the Justices for Wages.

The Rolls of Estreats, of Issues, and Amerciaments forfeited, shall be made certain.

Vid. *Fees*, 10. *Highways*, 10, 39. *Issues lost*, 2. *Justice of Affize*, 1. *Sheriff*, 17, 47.

**Estrepement.**

6 E. 1. c. 13.  
Eng.

**N**O Waste shall be made hanging a Suit for the Land.

Vid. *Parliament*, 39. *Process*, 3.

**Evans, Ewer.** Vid. *Rivers*, 36. *M.*

**Everard, Edmond.** *Forfeited Estates*, 20.

**Evidence.** Vid. *Civil Bills*, 8. *Clergy*, 15. *Coin*, 17, 21. *Coroners*,

7. *Customs*, 150, 164. *Exemplification*, 1. *Felony*, 28, 37, 67.

*Oaths*, 19. *Papists*, 59. *Parish-Churches*, 62. *Parliament*, 48.

*Register*, 6. *Rent*, 21, 28. *Sheep*, 6. *Sheriff*, 55. *Spiritual Persons*,

12. *Tories*, 4, 14.

**Evil Spirits.** Vid. *Witchcraft*, 1.

**Examination.**

## Examination.

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- 1 **J**USTICES, &c. shall take the Examination of all Persons brought before them, for Treason, Murder or Felony, or Suspicion of such, in Writing, as well as the Information of the Prosecutor, and return the same, on pain of being fined. 10 Car. 1. 5. 2. c. 18.
- 2 They have Power to bind all Persons by Recognizance, &c. to appear, at the next general Goal Delivery, to prosecute, and shall certify the same.

Vid. *Ability*, 1. *Attorney*, 15. *Bail*, 7. *Butter*, 16. *Citation*, 3, 4. *Education*, 2. *Mortgages*, 9. *Papists*, 53. *Tories*, 3, 8, 26.

## Exception.

- 1 **I**F the Justices refuse to allow a Bill of Exceptions, the Party impleaded may require their Seals to it on tendering the same. 13 E. 1. c. 31. Eng. West. 2.

Vid. *Jeofails*, 2.

**Exchange.** Vid. *Glebes*, 2, 6, 16. *Partition*, 14. *Schools*, 20.

## Exchequer.

- 1 **A**LL Sheriffs Bailiffs, Escheators, Collectors of Customs of Wooll, and other Officers to account in the *Exchequer* to the Treasurer and Barons, about the Feast of St. Margaret. Before the Close of the *Exchequer* Search to be made whether any Sheriff, &c. have failed to account that Year, and if they have, the Sheriff's Accounts to be first heard after *Michaelmas*. 51 H. 3. Eng. St. Scij.
- 2 The Bodies of Shires to be written in a certain annual Roll, and read every Year on the accompting of Sheriffs; in these Rolls the Profit of the Counties, &c. to be written. 10 E. 1. Eng. St. Rutland. 2. Knights in every County to be present at the Delivery of Tallies, who are to send one Part indented into the *Exchequer*; Inquisitors to be appointed in every County, of Debts due, of what paid, and what not; no Suit to be prosecuted in the *Exchequer* House, unless it concern the King and his Officers there. Post, 8.
- 3 The Clerks of the Remembrance shall sit against the Clerk of the Pipe, to take Notice of, and imbreviae all Discharges in the Pipe, that Process may cease. 37 E. 3. c. 4. Eng.
- 4 If any Officer in the *Exchequer* make out a Process for a Debt already paid, he shall forfeit his Office, be imprisoned, &c. 1 R. 2. c. 5. Eng.
- 5 Every Person impeached in the *Exchequer* may plead there, in his own Discharge. 5 R. 2. c. 9. Eng.



**Exchequer.**

1 R. 2. c. 13. **No Accompts of Nihil shall be admitted, but upon Oath, and Examination of the Officer.**  
Eng. 31. 2.

5 R. 2. c. 14. **The Clerk of the Pipe and the two Remembrancers to be sworn, to make due Entry every Term of all Writs, for the Discharge of Persons.**  
Eng.

38 H. 6. c. 1. **None to sue in the Exchequer in Ireland, unless the Plaintiff be a Minister or Servant of the Court.**  
vid. ante. 2.

7 E. 4. c. 4. **The Lieutenant of Ireland, &c. may, by 28 days. Garnishment, remove the Exchequer or Common Pleas, where they think necessary (Vid. Common Pleas, contra.)**

Vid. Ability, 8, 11. Ale-house, 5, 6. Chancery, 3, 5, 6. Error, 2. Estreat, 1. Exemplification, 1. Hearth-Money, 11. Justices of Goal-delivery, 3. Measures, 3, 11. Mortgages, 5. Papists, 34. Partition, 21. Records, 1. Religious Houses, 8. Remembrancer, 1. Rivers, 47, 62, 65. Small Debts, 1. Wine, 15.

**Exchequer Acquittance.** Vid. Felony, 58.

**Exchequer Chamber.** Vid. Error, 3, 15, 16.

**Excise.** Vid. Customs, per tot. Office of Excise.

**Excommunication.**

38 H. 3. Eng. **I**N the Presence of the King in *Westminster-Hall*, Boniface, Archbishop of *Canterbury*, and other Bishops, with Tapers in their Hands burning, denounced a Curse and Excommunication against Breakers of the Liberties of the Church.

9 E. 3. Stat. 2. **Bishops may excommunicate Perturbers of the Peace of the Church, Felons, Maintainers, False Jurors and Quarrellers, and proceed against them according to the Common Law.**  
c. 12. Eng.

**Excommunicato capiend.** Vid. Addition, 1,

**Execution.**

13 E. 1. c. 18. **H**E that recovereth a Debt or Damage in the *King's Court*, may at his Choice, have a *Fieri Facias* of the Lands and Chattles of the Debtor, or against all the Chattles, and a Moiety of the Land. (N. B. *This is the Elegit.*)  
Eng. W. 2.

13 E. 1. c. 45. **The Writ of Execution shall be within the Year, and a Scire Facias after the Year.**  
Eng. W. 2.

10 Car. 1. Seff. **If Lands delivered in Execution, be recovered by a Title, to which they were liable before; before the Debt is paid, the Plaintiff, &c. may have a Scire Facias against the Defendant, &c. and another Writ of Execution, for the Residue of the Debt, &c.**  
3. cap. 7.

## Execution.

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4 No Execution shall be stayed by Writ of Error in the *Four- 10 Car. 1. Sess.*  
*Courts*, unless the Plaintiff therein, with two sufficient Sureties, en- 3. cap. 8.  
 ter into a Recognizance to the Party, in double the Sum adjudg-  
 ed, to prosecute with Effect, and pay (if the Judgment is affirmed)  
 the Debt, &c. (*This extends to inferior Courts, by 9 Gul. 3. c. 38.*  
*Vid. Jeofails, 8.*)

5 The Plaintiff, &c. after the Defendant's dying in Execution, may 10 Car. 1. Sess.  
 sue Execution against his Lands and Goods, &c. but not to extend 3. cap. 9.  
 to Lands, *bona fide*, sold by such Defendant after said Judgment,  
 for Payment of Debts.

6 If Defendant in Execution be enlarged by Privilege of Parlia- 10 & 11 Car.  
 ment, the Plaintiff, when 'tis out, may sue another Execution. 1. Sess. 4. c. 12.

7 No Writ of Execution, shall bind the Property of the Goods 7 Gul. 3. c. 12.  
 of the Defendant, but from the time of Delivery of the Writ to  
 the Sheriff.

Vid. *Civil Bills, 2. Coroners, 9. Covenant, 3, 4. Customs, 57. Debt*  
*to the King, 6. Error, 4. Felony, 13, 15. Habeas Corpus, 6.*  
*Judgment, 3. Linen Manufacture, 49. Promissory Notes, 1. Rent,*  
*4, 22. Sheriff, 28. Small Debts, 4. Tories, 23, 24. Trusts, 3.*  
*Tythes, 17.*

## Execution of Statutes.

THE Lord Chancellor, Treasurer, with a Bishop, a Lord of 3 H. 7. c. 1.  
 the Council, and two Chief or other Justices, on Information, Eng.  
 for Maintenance, Retainers, Embraceries, Behaviour of Sheriffs,  
 Juries, taking Money, Riots and unlawful Assemblies, have Power  
 to call the Offenders before them, by Writ, to examine and punish  
 them according to the Statutes, as if convict by Law.

## Executors.

1 EXECUTORS to have the like Writs, Actions and Pro- 13 E. 1. c. 23.  
 cesses, as the Testator might have had. Eng.

2 In Debt against an Executor, they shall have but one Essoin. 9 E. 3. c. 3. Eng.

3 Executors of Executors, to have Action of Debt, Account, &c. 25 E. 3. St. 5  
 of Goods carried away, and have Execution, &c. and answer to c. 5. Eng.

4 Servants, after the Death of their Master, embezzelling Goods, 33 H. 6. c. 1.  
 on Proclamation, by Writ from the Lord Chancellor, to appear in Eng.  
 B. R. or be attaint of Felony, and appearing to be imprisoned, till  
 they answer the Executors, or may be bailed.

Vid. *Abatement, 5. Account, 4. Administrator, 1, 3, 13. Costs, 8.*  
*Debt to the King, 2. Error, 6. Inventory, 1. Ordinary, 1. Par-*  
*liament, 28. Promise collateral, 1. Rent, 1.*

Executoz de son tozt. Vid. *Administrator, 3, 13.*



## Exemplification.

12 El. c. 2.

**A**LL Exemplification of Records, Inrolments, &c. under the Great Seal of Ireland, and the Seals of the King's-Bench, Common-Pleas and Exchequer, and subscribed by the Lord-Chancellor, both the Chief Justices and Chief Baron shall be Evidence in all Courts, &c.

The Clause of *In cujus rei Testim' his Literis nost' pat' tam*, &c. to be inserted.

The Officers to put the Seals to them upon Sight thereof.

Vid. *Spiritual Persons*, 12.

**Exeter.** Vid. *Wooll*, 22. not a *Wooll-port*.

## Exigents.

5 E. 3. c. 12.  
Eng.

**W**HERE the Plaintiff recovers Damages, and the Defendant is out-lawed, no Pardon shall be granted till the Defendant is satisfied.

18 E. 3. St. 1.  
c. 1. Eng.

Exigents to be awarded against the Receivers of the King's Treasures.

33 H. 6. c. 1.

Exigents for the King, of Felonies, &c. void, unless issued out of B. R.

Vid. *Addition*, 2. *Attorneys*, 10. *Error*, 9. *Fees*, 19. *Judicial Proceedings*, 3. *Proclamation*, 1.

**Expiration of Statutes.** Vid. *Customs*, 147. and see in the List of the Statutes herunto annexed, which of them are expired being therein omitted.

**Exportation.** Vid. *Certificate Goods*, 1, 2. *Cloth*, 4, 5. *Coin*, 2, 7. *Corn*, 3, 10. *Customs*, 105, 106. *Merchants*, 12. *Sheep*, 12. *Wooll*, 5, 6, 15, 36.

## Extents.

17 & 18 Car.  
2. Sess. 7. c. 11.

**N**O Extent upon any Judgment, Statutes or Recognizance for Payment of Money, shall be avoided or delayed by Occasion that any Part of the Lands were omitted thereout, not to extend to Infants.

*This Act is revived and made perpetual, by 7 Gul. 3. Sess. 1. c. 7.*

Vid. *Recognizance*, 3.

**Extinguishment.** Vid. *Forfeiture*, 6.

## Extortion.

3 E. 1. c. 26.  
Eng. West. 1.

**N**O Sheriff or other Officer of the King to take any Reward for executing his Office, on pain of rendering double, and be punished.

3 E. 1. c. 29.  
Eng. 11 Ed. 1.

Marshals and Officers of Justices, &c. guilty of Extortion, to render double Value.

Merchants,

- 3 Merchants, being distrained or arrested by Officers of the Customs for undue Charges and Impositions, may recover 40*l.* Damages (if they prosecute within 2 Months) in an Action of Trespass: On Default of the Merchant in that Time, any other may prosecute and have the Moiety. <sup>28 H. 6. c. 5. Eng.</sup>

Vid. *Sheriff*, 49.

*Eyer*, Samuel. Vid. *Rivers*, 1, &c.

*Eyes*. Vid. *Felony*, 4.

**Factors.** Vid. *Cloth*, 4.

**Faculties.** Vid. *Rome*, 2, 5, 10, &c.

**Fairs and Markets.**

- 1 **F**AIRS and Markets not to be kept in Church-Yards. <sup>13 E. 1. c. 6. Eng. Winch.</sup>
- 2 Fairs kept longer than they ought, to be seized into the King's Hands, and Proclamation to be made how long Fairs are to continue. <sup>2 E. 3. c. 15. Eng.</sup>
- 3 Merchants not to sell Wares after the Fair is ended, on pain of forfeiting double Value. <sup>5 E. 3. c. 5. Eng.</sup>
- 4 In Court of *Pis-powder*, the Plaintiff to make Oath that the Contract or Matter of the Declaration, &c. was done within the Jurisdiction and Time of the Fair. Stewards holding Plea otherwise, to forfeit 5*l.* <sup>17 E. 4. c. 2. Eng.</sup>
- 5 Proprietors of Fairs and Markets yearly to appoint an open Place for selling Horses, &c. and a Toll-keeper who shall enter all Horses, &c. sold, &c. on pain of 20*s.* each Default. <sup>2 An. Sess. 2. c. 11.</sup>
- 6 The Book-keeper to see the Horse, &c. that is sold, &c. and in Presence of all the Parties to enter him, and Colour, Mark, the Parties Names, and Place of Abode, Price, and Voucher, on pain of 20*s.* said Book to be returned to the Proprietor, and signed by him.
- 7 Sale in Fair of a stolen Horse, unless the same be publickly rid, &c. for one Hour shall not alter the Property, and unless all the Parties came before the Book-keeper; and none shall sell any Horse, &c. without a Voucher, and the Book-keeper to enter no Horse unless he knows the Seller or Voucher, and to give a Copy of such entry, on pain of 20*s.* each Default. Sales otherwise made to be void, the Forfeitures recoverable at Assizes or Sessions, a Moiety to the Prosecutor.
- 8 This Act is made perpetual, by 6 An. c. 12.

Vid.



**Fairs and Markets.**

Vid. *Ad quod damnum*, 1. *Ale-house*, 1. *Butchers*, 5. *Customs*, 42.  
*Drapery*, 28. *Earnest*, 1, 3. *Pewter and Brass*, 1. *Recognizance*,  
 6. *Toll*, 4.

**Falkiner, Daniel.** Vid. *Trade*, 2.

**False Coin.** Vid. *Coin*, 2.

**False Deeds.** Vid. *Forgery*, 1, &c.

**False Imprisonment.** Vid. *Accusation*, 9.

**False Judgment.**

52 H. 3. c. 20.  
 Eng. marlb.

1 E. 3. c. 4.  
 Eng.

**NONE** but the King shall hold Plea of false Judgment.

A Record brought into Court by Writ of false Judgment, if the Party alledges that the Record is otherwise than what the Court did record it, the same shall be tried by the Country.

Vid. *Attaint*, 4.

**False Latin.** Vid. *Fine*, 13. *Jeofails*, 3.

**Falsifying Recoveries.** Vid. *Recoveries*, 1.

**False Verdict.** Vid. *Attaint*, 4. *Limitation*, 6.

**Fanlobus.** Vid. *Parish-Churches*, 1.

**Fare.** Vid. *Coaches*, 5, 6, 7, 16, 21, 22.

**Farmers.** Vid. *Butter*, 2. *Partition*, 13.

**Fathers.** Vid. *Ability*, 7, 10. *Women*, 3.

**Falcon.** Vid. *Hawks*.

**Fealty.** Vid. *Bishops*, 8. *Homage*, 2.

**Fear.** Vid. *Clergy*, 11.

**Fee-Simple.** Vid. *Forgery*, 2.

**Fee-Farm.** Vid. *Cessavit*, 1. *Gold*, 14.

**Fees.**

Administrati-  
 on and Probat  
 of Wills.

28 H. 8. c. 18.

**NOTHING** shall be taken for Administration or Probat, where the Goods exceed not the Value of 3 l. 6 s. 8 d. save to the Scribe for writing, and 8 d. for the Seal.

The Ordinary shall not refuse to prove such a Testament or grant such Commission of Administration being exhibited to him.

For Goods not exceeding 10 l. *Irisb*, sealing Inventory, &c. 3 s. 4 d. whereof to the Bishop, &c. 2 s. to the Scribe, 16 d.

For Goods not exceeding 20 l. to pay 6 s. 8 d. 5 s. whereof to the Bishop, 20 d. to the Register.

For Goods not exceeding 40 l. to pay 10 s. whereof to the Ordinary 8 s. Register 2 s.

For Goods not exceeding 100 l. to pay 16 s. 8 d. and above 100 l. to pay 20 s. whereof to the Ordinary 16 s. 8 d. to the Register 3 s. 4 d.

The

## Fees.

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The Bishop, &c. on the Delivery of the Seal and Sign of the Testator, to deface the same, and re-deliver it to the Executor or Administrator.

For Copies of the said Commissions or Probats, the same Fees as above, but not to alter the Custom where less Sums were taken. Officers offending, to forfeit the Sum taken, and 10 l.

- 2 For taking and swearing before Commissioners, and to a Judge on Circuit, 1 s.
- 3 For sealing Broad-cloth  $\frac{1}{2}$  d. Half-cloth  $\frac{1}{4}$  q. and rateably for Cloths. For new Drapery, for every 4 Pound Weight, and so in Proportion  $\frac{1}{4}$  q. For searching and measuring, &c. every Piece of 25 Yards long, 2 d. and so in Proportion.
- 4 For a Commission to take Bail in the Country, 13 s. 4 d. for a Recognizance by Virtue of such Commission 2 s. the same to a Judge on the Circuit.

Affidavit.  
4 Gul. & M.  
6. 4. c. 1.  
Alnager.  
17 & 18. car.  
2. Sess. 5. c. 15.

- 5 To a Bailiff for an Arrest, 4 Pence
- 6 For Ballast above Salmon-pool per Tun 12 d. below said Pool, 15 d. Foreigners to pay a Third more, and for Burthen per Tun 3 d. others 2 d. per Tun, to the Ballast-Master for unnecessary Delays 1 s. per Hour, Aliens-Ships discharging, 8 d. per Tun, and others 6 d.

Bailiff. 23 H. 6.  
c. 10. Eng.

Ballast-Office.  
6 An. c. 20.

- 7 For inrolling a Certificate of a Convert in Chancery, 6 d.

Certificates.  
2 An. Sess 1. c. 6.

To a Justice of Assize for a Certificate for a Reward for a Felon convict 1 s.

8 An. c. 8.

- 8 For a Fine 4 s. and for posting up in the Court 4 d.

Chirographer.  
10 Car. 1. Sess.  
2. c. 10. & 1 H.  
4. c. 8. Eng.  
5 H. 4. c. 14.  
Eng.

Recording the Writ *Dedimus note*, &c. 22 d.

- 9 To the Officer returning a Jury 1 s. Clerk entering the Verdict, 6 d. To the Sheriff for a special Warrant to execute a Decree 1 s. Attorney drawing and entering the Process 2 s. 6 d. Attending the Hearing 2 s. Recognizance and Bail on the Appeal 1 s. To the Clerk of the Civil Bills for the Process 6 d. Entering the Bill 6 d. For a Decree or Dismiss 1 s. Entering a Renewal 1 s. To the Sheriff per Pound in the Execution, if the Party be taken 6 d. For every Pound levied (not by special Warrant, and not to be demanded before the Execution is executed) 6 d.

Civil Bills.  
2 Geo. 1. c. 11.

- 10 Several Persons in one Indictment, shall pay but one Fee for them all, and that 2 s.

Clerk of the  
Crown. 2 H.  
4. c. 10. Eng.  
10, 11, & 12,  
Jac. 1. c. 7.

He shall have 12 d. per Pound Estreats, relating to the Highways.

He



9 *Gul. 3. Sess.* He shall have 1 s. for a Copy of Presentment of Tories.  
1. c. 34.

8 *Geo. 1. cap. 9.* His Fee on a Certificate of Transportation, &c. 2 s. 6 d.

Clerk of the Crown in Chancery. On Search for the return of a Member of Parliament, 2 s. 6 d.  
For a Copy of the Indenture of such Return, 2 s. 6 d.

1 *Geo. 2. c. 9.* Clerk of the Peace. For registering Deeds, &c. of Freeholds under 10 l. 6 d.

1 *Geo. 2. c. 9.* Fees to him for inrolling a Judgment for Tythes, 1 s.  
1 *Geo. 2. c. 12.*

Clerk of the Recog. in Chancery. His Fees for entering a Stat-merchant, or a Stat-staple, 8 d.  
And for every Year's Search, 2 d. *Vid. Post, 37.*

16 *Car. 1. Sess.* 2. c. 3. Fees to a Collector for Licence to an Ale-house, to receive

14 and 15 *Car. 1. S.*  
2. *Sess. 4. c. 18.*

17 and 18 *Car. 2. Sess. 5. c. 19.* And he is to receive for Wine Licence 2 s. and for Aquavita, &c. 1 s.

9 *Gul. 3. Sess.* Fees to him for Quit-rent for a Sum above 5 s. and under 20 s. 6 d. above 20 s. and under 5 l. 1 s. above 5 l. and not exceeding 15 l. 1 s. 6 d. for any Sum above 15 l. 2 s. For one Acquittance and no more.

8 *An. c. 13. Sess. 19. Eng.* His Fees for a Certificate of landing Tobacco, 1 s.

His Fees on a Permit, *Vid. Customs, 155.*

His Fee on Tobacco, Certificates, *Vid. Tobacco, 5.*

Coroner. For the Fee of a Coroner (*See Tit' Coroner 6.*) and Execution, *post in this Title.*

Custom and Excise. Fees of Officers, *Vid. Customs, 98.* To the Taster of Wine, for every Butt, Pipe, Puncheon, or large Cask, 6 d. Hogsheads, Tierce, Barrel, or small Vessel, 3 d.

14 and 15 *Car. 2. Sess. 4. c. 9.*

Distress. For pounding one whole Distress, 4 d. and no more on pain of

10 *Car. 1. Sess. 5 l.* 2. c. 25. The Officer issuing them or entering them, to take no more than 6 d. and the Sheriff for Proclamation at the Church Door, 11, 12, 13, *Jac. 12 d.* 1. c. 8.

Execution or Extent. No Sheriff or other Officer to demand Fees for more than is justly due on the Execution, a Certificate of what is justly due to be signed by the Party or his Attorney, and lodged in the Office; and

6 *An. c. 7.*

## Fees.

and to be entered in the Book and on the foot of the Execution, for which 12 *d.* Fee and no more. No Sheriff, &c. to demand Fees for more than the Execution, shall be so mark'd on pain of double Damages, and no Execution to be executed without such Entry on the Foot of it.

The Party neglecting to mark his Execution, or overcharging it, to forfeit treble Damages.

On *Cap. ad Satisfac'*, *fieri fac'*, or *Elegit*; the Sheriff, &c. to have 12 *d.* per Pound for the first hundred Pound, and 6 *d.* after.

(See the 10. Car. 1. Sess. 3. c. 19. This 12 per Lib. and treble Damages, and 40 *l.* on the Officer offending.)

On Execution by *Elegit Extendi fac' cap. utlagat. liberat*, &c. where Lands are seized in the Hands of the Crown, for the benefit of the Subject, the Sheriff to receive 1 *l.* 6 *s.* 8 *d.* only, and no more, but may receive as far as 5 *l.* by Poundage, where he gives Possession of Lands.

On a *habere fac' posses*, 50 *s.* but must first execute the Writs.

To the Clerk for Bond given for First-fruits, 8 *d.* Acquittance for the same 4 *d.*

No Fees to be taken on Indictments returned *Ignoramus*, or Juries Verdict thereon, on pain of 20 *l.* to the Crown and Prosecutor, except for Treason, Felony, or Premunire.

By this Act, the above 20 *l.* is given to the Party grieved, by Civil Bill, &c. (but Treason, Felony, and Premunire are left out) and this Act prohibits Fees to be taken for any Recognizance or Discharge on Account of any Indictment returned *Ignoramus*.

For inrolling Deeds where the Lands exceed not 40 *s.* the Sum of 2 *s.* to be paid, and where they exceed 40 *s.* yearly Value, 5 *s.* to be paid.

To have 4 *s.* per *Diem*, and the Clerk 2 *s.* during the Sessions, to be paid them by the Sheriff out of the Fines and Amerciaments, (*Quer' If they should prove deficient.*)

His Fee for a Warrant, 6 *d.* for a Recognizance, 1 *s.* and no Fee for a Discharge, &c. His Clerk to take no Fee on pain of 40 *s.* before a Justice of Peace, this Act to be read yearly at *Easter-Sessions* by the Clerk of the Peace, on pain, &c. of 40 *s.* by Civil Bill. No Fees to be taken in Felony or Treason.

Bishops Fees for Licence for a School-master, is by this Act, 12 *d.*

Indictm.  
28 H. 8. c. 8.  
An. Sess. 2. c. 10.  
3 Geo. 2. c. 9.

Haniper:  
28 H. 8. c. 8.  
Indictments.  
An. Sess. 2. c. 10.  
10.

Inrolment.  
10 Car. 1. Sess.  
2. c. 1.  
Justice of  
Peace.  
12 R. 2.  
6. 10. } Eng.  
14 R.  
3. c. 11.  
3 Geo. 2. c. 16.

Licence.  
17 and 18 Car.  
2. Sess. 5. c. 6.

Q

The



**Marshal.** The Fees of Marshals, Chamberlains, &c. of *Just in Eyre*, were settled by this Act, viz. The King's Chamberlains to have of Archbishops, Bishops, Earls, Barons, &c. holding an entire Barony, a Fine, when they did Homage; and of other Spiritual and Temporal Persons, who held not an entire Barony, the Chamberlain to have their Upper Garments, or the Price thereof.

## Four Courts.

**10 Gul. 3. Sess. 2. c. 9.** All Prisoners to pay to the Marshal, on Commitment, 6 s. 8 d. to the Turn-Key 6 d. for a Discharge 6 s. 8. on a *Hab' corp'*, the Prisoner procuring the same, 2 s. 6 d. Prisoner committed on *Hab' corp' ad satisfac'* 6 d. per lib. for the first Hundred, and 3 d. after for what is justly due, or received, only.

If the Sheriff bring the Prisoner, and that he shall be committed, to the Marshal; in Execution, the Sheriff, and not the Marshal, to have said Poundage.

Persons in Custody, pleading a Pardon at the Bar, to pay 7 s. Prisoners lying in the Common Hall, to pay 1 d. per Night.

## Dublin City.

The Marshal of the City to take for a Committal on Action from the *Tbolfel*, 2 s. 6 d. for *Venir' fac'*, or *Fier' fac'*, 1 s. 6 d. for a Prisoner, by the Lord Mayor, for petty Debt, 1 s. for all Executions from the City, 6 d. per lib. for the first 100 l. and 3 d. per lib. after.

See the Penalties and Forfeitures on them, in *Tit. Marshal*, properly.

**Measures.** The Sum of 6 d. to be paid to the Lord Treasurer for measuring, branding, &c. the Standard-Barrel, &c. for each County, &c. and 6 d. to every Sheriff, Mayor, &c. for comparing it with other Measures, marking and sealing it.

**Nisi prius.** Clerks Fee, in the *Exchequer*, for a Record of *Nisi prius*, is 2 s.

**Oaths.** To the Clerk for recording the Oath, 1 s. for a Certificate of having taken the Oaths, 6 d.

**6 Geo. 1. c. 9.** For recording the Oaths, &c. of Dissenters, at Sessions, 6 d. and Certificate thereof, 6 d.

**Patent.** To the Lord Chancellor, for every Patent passing the Seals, 10 s.

**Plaint.** The Recorder and Clerks of *Dublin*, and *Drogheda*, to take but 2 d. for the Copy of a Plaint, on Pain of being outlawed of Trespass, &c.

**Plea.** All Attorneys and Clerks, in the King's Courts, shall take but 12 d. or under, for a Fee, in every Plea, by Writ or Bill; and for the Copy of every Original Writ, 4 d. and for Copies of other Bills and Records, at the Discretion of the Judges: Attorneys, &c. taking

# **Fees.**

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taking more, or refusing to be employed, or refusing the Copy of any Writ, &c. shall forfeit 5*l.* (Clerks in Chancery excepted.)

Porters to Justices, in the Circuit, for Homage done in the Bench, to have the Upper Garment; for keeping a Jury, 10*d.* on a Recovery, 4*d.* on Attaint, Great Assize, &c. 1*s.* Pleas of the Crown, 1*s.* per Dozen, for every Prisoner delivered, 4*d.* to the Clerk for every Writ, 1*d.*

Porters.

13*R.* 1. c. 40.

Eng. West. 2.

His Fees for Memorials, and Certificates of Deeds, Wills, 6*sc.* are at the Rate of 6*d.* for the first 100 Words, and 3*d.* per 100 Words after.

Register.

6*An.* c. 2.

For each Affidavit sworn before him, 6*d.*

8*Geo.* 1. c. 15.

Register of small Debts. See his Fees in Tit. Small Debts, 12.

— Of the Work-House, his Fees for entering Owners Names, and the Number of their Cars, 3*d.*

1*Geo.* 2. *priv.*

His Fees on an Arrest, 1*s.* 8*d.* for the Copy of a Panel, 4*d.* for Bond for Appearance, 4*d.*

Sheriff.

23*H.* 6. c. 10.

Eng.

2*An.* Sess. 1.

c. 10.

On an Enquest for exchanging of Glebes, 10*s.*

Fees of his Patent, *vid.* Sheriff, 40. Fees due to him for collecting Money for the King, *ibid.* 41. Fees for Acquittance on collecting the King's Debts, *ibid.* 48. Fees payable by Sheriffs of Counties on passing their Accounts, *ibid.* 53.

*Vid.* Clerk of the Recognizance in Chancery, in hoc Tit. ante.

Statutes.

*Vid.* Measures in hoc Tit. ante.

Weights.

For each Hide weighed by the Seller, 1*d.*

Weigh-master.

By this Act his Fees on Hides are encreased, and has 1*d.* for each Hide; for every Cask of Butter, full or empty, 1*d.* for Tallow, per 100 Weight, 1*d.*

8*Geo.* 1. c. 7.

10*Geo.* 1. c. 9.

For every Draft of Merchandize, 1*d.* if under 100 Weight; if over 100 Weight, 1*d.*

2*An.* Sess. 2.

c. 14.

All Officers, Deputies, &c. who claim Fees, to return to the Clerk of the Council, a Table of all Fees claimed by them, on Pain of 100*l.* (This was done in June, 1718.)

4*Geo.* 1. c. 8.

Clerks of the Crown and Peace, Sub-Sheriffs, &c. shall, at Assizes and Sessions, set up a Duplicate of said Fees in View, on Pain of 50*l.*

*Vid.* Ballast, 11. Chirographer, 1. Citation, 4. Corn, 17. Customs, 98. Fish, 27. Measures, 3, 4. Militia, 8. Parish-Churches, 43. Prisoners, 11. Reme, 3, 8. Servants, 5. Small Debts, 12. Solicitors, 12.

**Fells.** *Vid.* Grey Merchants.

**Felons.** *Vid.* Arrest, 2. Distress, 14. Escape, 1. Felony, per tot'. Forfeiture, 1. Grand-Juries, 2. Painfort and Dure, 1. Restitution, 1. Sheriff, 6.



9 E. 2. c. 15.  
Eng.

A CLARK flying into the Church for Felony, shall not be compelled to abjure.

9 E. 2. c. 16.  
Eng.

The Privilege of the Church not to be denied to a Clark confessing Felony, if demanded by the Bishop.

5 H. 4. c. 4.  
Eng. vid.  
Gold. 7. cont.

To multiply Gold or Silver, is by this Act made Felony.

5 H. 4. c. 5.  
Eng.

It is Felony, maliciously to cut out the Tongue, or put out the Eyes of the King's Subjects.

3 H. 6. c. 1.  
Eng.

'Tis Felony in Masons, to make Congregations or Assemblies, to plot or confederate.

8 H. 6. c. 12.  
Eng.

Embezzelling of Records is made Felony, where any Judgment shall be thereby reversed; half the Jury to be of the same Court, and the other of another Court. (*Quer. If not Freeholders.*)

1 R. 3. c. 3.  
Eng.

The Goods of a Person arrested, or suspected for Felony, not to be seized till he is attainted.

1 H. 7. c. 7.  
Eng.

Persons hunting in Forests, &c. in the Night, or disguised and concealing the Fact, on Examination, is Felony.

3 H. 7. c. 2.  
Eng.

To carry away a Woman, Maid, Wife or Widow, against her Will, and in the Procurers, Abettors, and Receivers, is Felony, she having Lands or Goods, or being Heir apparent. (*Quer. The Quantity.*)

9 Gul. 3. Sess. 1.  
cap. 32. Post.  
17, 23, 24.

Persons buying or receiving stolen Goods, knowing them to be such, shall be deemed Accessories after the Fact.

Taking away, with intent to steal the Furniture of Lodging Lett to the Party, is Larceny and Felony.

2 An. Sess. 1.  
c. 12.

Persons convict of concealing, abetting, or harbouring Tories or Rapparees proclaimed, the Judge and Grand-Jury (if the Judge thinks fit) may, after Judgment, respite the Execution, and order such Person for Transportation, the Party applying for him, to enter into a Bond of 20*l.* to transport him, and in 18 Months to produce a Certificate from the Chief Magistrate, of his being landed in the Plantations, the Goaler to deliver such Prisoner, without Fee, on Receipt of the Judge's Warrant.

Post. 36.

Such Prisoner escaping, before or after being put on Shipboard, or returning from Transportation, shall, on Certificate of said Record, &c. on Confession or Verdict of his being the same Person, be forthwith executed, according to the former Sentence.

And for want of the Copy of the said Record of Conviction, the said Prisoner to be remanded to Goal, without Bail, &c. until the following Assizes, &c. and then, on Default of such Certificate or Copy, to be acquitted.

The

# Felony.

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- 5 The said Prisoner, on Default of entering into said Bond for him, or taking him from the Goaler in 9 Months, the next going Justice may award Execution on him.
- 6 The rest of this Statute is repealed by 9 An. cap. 6.
- 7 Receivers of stolen Goods knowingly, or being Accessories before or after the Fact, may be prosecuted for a Misdemeanor, tho' the Principal be not before convicted, and this shall exempt this Offender from Punishment, as accessory, if the Principal be after convicted.
- 8 Harbourers of Felons, discovering and prosecuting two or more other Harbourers to Conviction, are pardoned for harbouring only. (Vid. Tories.) This Statute is made perpetual by 6 An. c. 12.
- 9 Persons taking and convicting Burglars, breaking or entering a House in the Day-time, shall receive 5 l. from the Collector in 21 Days, on the Judges Certificate, the Justices to dispose of said Reward as reasonable.
- 10 Collector refusing to pay the said 5 l. shall forfeit double the Sum.
- 11 A Watchman, &c. killed in the apprehending such Burglars, his Executors or Administrators, to receive 20 l. from the Collector, on such Certificate, and 40 l. Penalty, on the Collector refusing, which Reward shall be allowed in his Accompts.
- 12 All Persons out of Prison, discovering and convicting 2 or more such Burglars, shall have 5 l. and Pardon of all Felonies, &c. committed before (except Murder and Treason.)
- 13 Persons buying or receiving stolen Goods knowingly, or concealing Burglars, shall be deemed Accessories, and suffer Death as Felons.
- 14 Yet if the principal Felon cannot be taken, such Buyer, &c. may be prosecuted for a Misdemeanor, which shall exempt him from being tryed as Accessory, when the Principal is convicted.
- 15 Having unlawful carnal Knowledge of a Female Child, under 12 Years old, tho' by her Consent, is Felony without Clergy.
- 16 Persons taking away Goods out of a House, Shop, Stable, Booth, &c. or from the Person, of the Value of 5 s. or stealing any Cows, Calves, Sheep, Lambs, &c. Value 1 s. and Accessories, before or after, is Felony without Clergy.
- 17 But Persons convicted of 2 Cows, Bulls, Oxen, Steers or Heifers, or ten Calves, Sheep or Lambs, at one time, if the Judge find such on the Presentment of the Grand jury, an Object of Mercy, he may be burned in the Hand, and enlarged or imprisoned, not exceeding one Year.
- 18 The Clerk of the Crown or Peace, where Persons have been convicted, shall certify a Transcript of the Judgment and Conviction, Clergy

2 An. Sess. 2.  
c. 12. Ante. 8.  
Post. 23, 24.

Vid. Tories, 9.

8 An. c. 8.

Vid. Tories, 21.

Ante. 10, 17.

9 An. c. 6.

Post. 60.

Post. 37.  
Vid. Clergy, 15.



Clergy allowed, and this Benefit of the Act, and the Certainty of the Felony, &c. which shall be Evidence.

None who had the benefit of Clergy, to have the benefit of this Act, and Women having the benefit of Clergy, not entitled to the benefit of this again (Vid. Clergy, 14.)

6. Geo. 1. c. 12.

Vid. Post 56.

38 allowed,

Post 52.

Persons convict of Crimes, for which Death or Transportation ought to ensue, or are excluded Clergy, and Mercy extended, on condition of Transportation; the Judge may allow such their Pardon on condition of Transportation, and order the Sheriff to transmit them without Fee to the next Sea-port.

The said Sheriff to give Security to the Sheriff, &c. of the Sea-port, to Reimburse for their keeping till transported; and said Prisoners to have the same allowance as in other Goals.

Post. 47. 52:

The Magistrate, &c. who shall have them in Custody, shall contract with Persons for their Transportation, and transfer them over on a Recognizance of 50 l. Conditioned that they shall be transported.

The Sheriff who conveyed them to the Sea-port, to lodge a Certificate of their Delivery, with the Clerk of the Crown, at the next Assizes.

Persons guilty of grand or petit Larceny or Offence, for which Clergy is allowed, the Judge instead of burning in the hand may transport them for 7 Years, but if they return within that time 'tis Felony without Clergy.

Post. 39:

Persons taking Money for helping to stolen Goods, &c. unless they apprehend and prosecute the Felon at Trial, are Guilty of the same Felony.

8: Geo. 1. c. 9.

Ante 13.

Persons ordered for Transportation, escaping, breaking Goal, or being at large before the Expiration of the Term, Guilty of Felony without Clergy, or benefit of the Statute, Ante, 25.

Ante, 28.

Such offenders may be Tried in any County, and the Clerk of the Crown, &c. to certify the Indictment, and Conviction, and Order of Transportation, which shall be sufficient Proof.

Murther or Robbery committed in the street of any City, &c. a Reward not exceeding 20 l. to be raised by the Grand-Jury, for the Person apprehending such Offenders if convict.

Ante 35.

A Person prosecuting to conviction any Person for taking Money to help Persons to stolen Goods (unless that Person apprehend the Felon) to have 5 l. Reward.

Executors or Administrators of Persons killed in the apprehending such Offenders, to have 20 l. Reward.

Whosoever harbours a Felon (ordered for Transportation, escaping) is Guilty of Felony.

Where

- 42 Where a Person apprehended by Warrant from the Chief or other Justice of the *King's-Bench* in *England*, for Robbery, &c. there, the Chief Governors of *Ireland* may detain any Ship bound for *England*, until the Master take such Prisoner, and enter into Bond before the Collector of *Dublin*, of 200 *l.* to deliver him to the Sheriff, &c. where he shall first arrive; said Warrant to be delivered to him, and 5 *l.* and not obliged to take more than 2 at a time.
- 43 Said Bond to be delivered up on Affidavit of Delivery of such Person to the Sheriff, &c. in *England*.
- 44 Subjects lifting, lifted, or embarking, with intent to be lifted, or prevailing on any Subject to lift himself in any Foreign Service as a Soldier, without Licence, Guilty of Felony without Clergy; and Persons harbouring such knowingly, Guilty of the same.
- 45 *This Act is in Force to the 25th. December, 1737. by 12 Geo. 1. c. 6.*
- 46 Felons convict of stealing Flaxen or Hempen Manufacture, Yarn or Cloth from a Bleach-Yard, Buck or Work-house, value 5 *s.* are excluded Clergy. 10. Geo. 1. c. 2.
- 47 The Chief Magistrate of any Port-Town, &c. though the time is expired, may contract for the Transportation of Felons in his care, as by 6. Geo. 1. c. 12. 12. Geo. 1. c. 2.  
Ante 32.  
Post 52.
- 48 Such Chief Magistrates may by Warrant require the Sheriff, &c. of such Port, &c. to pay the Master of the Ship &c. 40 *s.* for a Capital Felon, and 20 *s.* for others; and the Sheriffs, &c. shall do the same without Fee, the Grand-Jury, on producing said Warrant and Receipt, to present said Sums on the County, &c.
- 49 Felons under a Rule of Transportation, refusing to sign, &c. any Articles or Agreement for their Transportation.
- 50 So that they are not bound for more than 7 Years, if convict Capitally, shall be continued in Goal, or transmitted where convicted, and be executed; and others to be thrice whipt, and then transported. Post 51
- 51 Persons Capitally convict of Felony, and at any time found in this Kingdom, to suffer Death.
- 52 The Chief Magistrates of Port-Towns, &c. to receive Felons sent to them into Goal, and maintain them as Felons convict; the Sheriff delivering them, shall give Security to reimburse what is Disbursed on such Maintenance till Transported, to be Levied on the County. Ante. 31
- 53 The Clerks of the Crown and Peace to make out Certificates in 30 Days after every Assizes, &c. of the Names of all the Persons sentenced for Transportation, and deliver the same to the Lord Mayor of *Dublin*, of those in *Linster*; to the Mayors of *Cork*, *Waterford* and *Limerick*, of those in *Munster*; of *Londonderry* and *Belfast*,  
of



of those in *Ulster*; of *Galway* and *Portrif* of *Sligo*, of those in *Con-naught*; to be Posted up and continue till the Persons be actually transported; the said Clerks on such default to be fined, not less than 5 nor exceeding 10 *l.*

An Order under the King's Sign Manual, or under the Hand of the Chief Governor directing Felons, Receiving Sentence of Death to be transported, shall be as Effectual as a Pardon pleaded and allowed; and such Order shall be a sufficient Warrant to the Sheriff, Goaler, &c. to deliver such Person to be transported, but must first be Counter-Signed by one of the Judges who tried the Felon.

Not to extend to inflict the Punishment of Death on Persons obtaining the King's Pardon, on condition of Transportation; provided they return not within the time.

1. Geo. 2. c. 2. 4. Maliciously destroying any Engine, Passage, Drain, &c. for working a Mine, or damage the same to the value of 5 *l.* or burn any Stack of Coals or Charcoal, or Vein or Mine of Coals, is Felony without Clergy.

10. Car. 1. Sess. 2. cap. 20. 1. 'Tis Felony to acknowledge a Fine, Recovery, Deed Inrolled, Stat. Recognizance, Bail or Judgment, in the Name of another Person not privy thereto.

3. Geo. 2. c. 4. Vid. 60. To Steal or take by Robbery, *Exchequer-Acquittances*, *Deben-ture-Bills of Exchange*, *Bankers-Notes*, *Bonds*, *Warrants*, *Bills or Promissory-Notes for Money*, shall be deemed Felony in the same Degree, as if Goods of the like Value were so taken, but no Corruption of Blood.

Grand-Juries to raise 6 *l.* for transporting Felons, whereof 20 *s.* is for Transmittal to the Sea-port, and 5 *l.* to the Master of the Ship.

Ant. 27. Felons recommended by the Grand-Jury for Mercy, to be burned in the Hand or transported, at the discretion of the Judge, Vid. Forgery, &c. for the continuance of this Act.

5. Geo. 2. c. 10. To steal or rip, cut or break with intent to steal any Lead, Iron-bar, Gate, Pallisade, Rail or Brass-knocker fixed to any building, is Felony of Transportation, and their Aiders, &c.

Persons in whose Custody the same is found, shall be deemed the Stealers or knowing Receivers, and shall be sent to the house of Correction, not exceeding 6 Months, or be fined and imprisoned discretionarily, but not transported, or be subject to Capital Punishment.

7. Geo. 2. c. 7. This Act to be read in Sessions for 2 Years, and shall be in Force for 2 Years only, and to the end of the then next Sessions, continued to 25th March, 1740. by this.

7. Geo. 2. c. 8. Persons that shall unlawfully chase, kill, maim, wound or take any red or fallow Deer in any Park or Inclosure, and shall be convicted on an Indictment, at the Assizes in the County where done, or where the Offender is taken, or Quarter-Sessions of County or City of *Dublin*, shall

shall forfeit a Sum not exceeding 30, and not less than 10 l. for each Deer, to the Informer and Owner, and 12 Months Imprisonment.

In Default of Payment within 3 Months after Conviction, and Default of Effects sufficient, to be transported, not exceeding 7 Years, and returning within the Time, is Felony without Clergy.

Persons aiding, assisting or employing, liable to the same Pains and Penalties.

Where there is good Ground to suspect that Venison or Deer Skin has been stolen, with the Privy of the Person in whose Custody 'tis found, in Default of satisfactory Account how he came by the same, he shall, without further Evidence, be convicted within the Meaning of this Act.

Prosecution to be within 6 Months from the Time the Offence is committed.

Vid. *Accusation*, 9. *Approver*, 1. *Bail*, 1, 6, 10. *Buggery*, 1. *Captains*, 2, 4. *Cattle*, 4, 5. *Challenge*, 5. *Clergy per tot.* *Coin*, 18. *Conspiracy*, 7. *Customs*, 128, 160. *Forgery*, 4, 8. *Jeofails*, 4. *Justice of Peace*, 2. *Marriages*, 13. *Mediterranean Passes*, 1. *Murder*, 1. *Pardon*, 1, 3. *Parliament*, 14. *Piracy*, 1. *Prison*, 1. *Rape*, 5. *Rivers*, 56, 66. *Servants*, 1, 16. *Sheep*, 2. *Small Debts*, 9. *Tories*, 5. *Witchcraft*, 1. *Witnesses*, 1. *Women*, 7. *Wooll*, 1, 12, 13. *Wood*, 5. *Wreck*, 10.

**Fellows.** Vid. *Uniformity*, 15.

**Feofments.**

EVERY Feofment of Lands made by Fraud or Maintenance, 1 R. 2: c. 9: shall be void. Eng.

In all Writs grounded upon Novel Disseifins, Disseisees may have Recoveries against the Disseisors or their Feofees, so that they were Pernours of the Profits at the Time of issuing the Writ. 11 H. 6. c. 3: Eng.

Vid. *Tenure*, 1.

**Feme-covert.** Vid. *Administrator*, 8. *Fine*, 1, 6, 7, 8, 18. *Oaths*, 10.

*Partition*, 2. *Rent*, 17. *Wills*, 2.

**Fencers.** Vid. *House of Correction*, 7.

**Fences.** Vid. *Hedge-breakers*, 1. *Partition*, 10, 11, 12, 17.

**Fern-burning.** Vid. *Furs-burning*.

**Ferry-Slip.** Vid. *Dublin*, 35.

**Fieri Facias.** Vid. *Error*, 9. *Execution*, 1. *Sheriff*, 41.

**Fighting.** Vid. *Gaming*, 10.

**Filazer.** Vid. *Appearance*, 1.

**Figs.** Vid. *Ships*, 12.

**Finderge.** Vid. *Rivers*, 20.



18 E. 1. Stat.  
4. Eng. de finibus.

**F**INAL Concord cannot be levied in the King's Court, without original Writ before four Justices in the Bench or Eyre, and to be in Presence of the Parties, who are to be of full Age, good Memory, &c. If a Feme-covert be one, she is to be privately examined; if she does not consent, the Fine cannot be levied. Fine bars all Persons of full Age out of Prison, &c. within the four Seas.

27 E. 1. Eng.  
de finib' levat'

No good Exception to a Fine levied that the Demandant was seized of the Lands, &c.

15 E. 2. Eng.  
Stat' Carlisle.

Demandants and Tenants to appear before the Justices, that their Age, Defect, &c. may be discerned, &c. but if not able Commissioners to take Cognizance.

34 E. 3. c. 16.  
Eng.

Plea of non-claim of Fines shall be no Bar hereafter.

5 H. 4. c. 14.  
Eng.

Writs of Covenant, *Dedimus*, and all Notes of Fines to be recorded in the *Common-Pleas*.

1 R. 3. c. 7. Eng.

A Fine after the Ingrossing to be openly read and proclaimed in the *Common-Pleas* the same Term, and three Terms next after, four several Days, and all Pleas to cease; a Transcript to be sent to the Justices of  $\dagger$  Assize, and another to the Justices of Peace of the County where the Lands lie, to be openly proclaimed there, which being certified, concludes all Persons, (those under Age in Prison, &c. excepted) if they lay not a Claim by Action or Entry in 5 Years.

$\dagger$  Post, 15.

4 H. 7. c. 24.  
Eng. Ante, 6.

Fines to be proclaimed in Court the same Term, and 3 Terms after, and shall conclude both Privies and Strangers (except Feme-coverts, &c.)

The Right of Strangers, at the Time of Ingrossing, or after, is saved, if they claim by Action or Entry in 5 Years, but Feme-coverts, Infants, &c. have 5 Years after the Impediment removed.

10 Car. 1. Sess.  
2. c. 8.

A Fine may be levied by this Act, or at the common Law, which shall have the Force as before this Act.

Vid. Tail, 1, 2.

All Fines levied according to the above last Statute by Persons of full Age, of any Lands, &c. in any wise entailed to them, or to any of their Ancestors in Possession, Reversion, Remainder or Use, shall bar said Persons and their Heirs claiming by such Intails.

Not to extend to bar Persons where a Woman levies a Fine of her Dower; nor to any Lands then in Suit, nor where the Reversion is to the King.

10 Car. 1. Sess.  
2. c. 9.

Not to prejudice Fines whereon Proclamation was not duly made by Reason of Adjournment of the Term.

10 Car. 1. Sess.  
2. c. 10.

Fines, Proclamations, or common Recoveries not to be reversed, for false *Latin*, Rasure, Interlining, Misentring a Warrant of Attorney, Misentring, or not Returning of the Sheriff, or other want of Form.

'Tis

## Fines.

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14 'Tis Felony to acknowledge a Fine, Recovery, Deed inrolled, Statute, Recognizance, Bail or Judgment in the Name of another Person. (Vid. *Felony*, 57.) 10 Car. I. Sess. 3. c. 20.

15 All Fines levied in the Common-Pleas shall be proclaimed four times only, once in the same Term, and once in each of the 3 following Terms. 15 Car. I. c. 2. Ante 6.

16 No Fine or Recovery levied, &c. before Easter Term, where the Possession went with it, shall be reversed by Error (a *Saving for Writs of Error then depending*) and three Years allowed Persons under Impediment after removing them. 15 Car. I. c. 10.

17 No Claim or Entry made upon Lands, &c. shall avoid any Fine levied, or to be levied, with Proclamations, unless an Action be commenced and prosecuted with Effect in one Year after such Entry. 6. An. c. 10.

18 No Fine or Recovery levied, &c. before December 1712, shall be reversed for Error, &c. unless the Writ of Error be brought in 5 Years from December 1717, nor none hereafter to be levied, shall be reversed for Error, unless prosecuted within 10 Years after the Fine, &c. levied, &c. *A Saving to Infants, Feme-Coverts, &c.* 4 Geo. I. c. 10.

Vid. *Age*, 4. *Chirographer*, 1, 2, 3. *Coaches*, 1. *Fees*, 8. *Felony*, 57. *Inrolments*, 3. *Leases*, 5. *Limitation*, 3. *Papist*, 45. *Tail*, 2. *Tipperary*, 2. *Trusts*, 14. *Tithes*, 10.

**Fines to the King.** Vid. *Forfeitures*, 4, 8. *Armour*, 5. *Champerty*, 3. *Corn*, 15, 16. *Coroners*, 8. *Court of Wards*, 5. *Distresses*, 21. *Estreats per tot.* *Game*, 14. *High-ways*, 10. *Measures*, &c. 13. *Sheriff*, 17. *Small Debts*, 10. *Solicitors*, 15. *Wood*, 4.

**Finbop.** Vid. *Parish-Churches*, 3.

## Fire.

1 NONE to be subject to Action or Damages for any accidental Fire broke out in his House, &c. (not to extend to Agreements between Landlord and Tenant.) 2 Geo. I. c. 5.

2 The Chief Magistrates, &c. to repair to, and assist at, any Fire in Towns, &c. and prevent the Goods, &c. from being Stolen.

3 Servants by Carelessness burning a House, &c. to forfeit 50 l. or on Default of Payment, 18 Months in the House of Correction.

4 The Church-wardens of all Parishes in *Dublin*, may at the Charge of the Parish, lay Stop-blocks and Fire-cocks, &c. upon Pipes in the Streets, and fix a Mark or Writing on any House near the Place, and to keep an Instrument in every such House to open the Fire-cock. 6 Geo. I. c. 15.

5 Each Parish to have an Engine, and a Hand-Engine to throw up Water to put out Fires, and on Default of the Parish keeping such, This extends to *Dublin only*.



**Fire.**

such, the Grand-jury at the Sessions may present and charge them with sufficient Sums to provide them.

A Person to be appointed yearly in the Vestry in *January*, to take Care of the said Fire-cocks, Engines, &c. said Person being negligent, to forfeit 10 s.

The first Comer with his Engine to extinguish Fires, to have 7 20 s. the Second 10 s. and the Third 5 s. from the Church-Wardens where the Fire happens.

Vid. *Dublin*, 35, 36.

**Fire-Arms.** Vid. *Papists*, 5.

**Fire-Cock.** Vid. *Fire*, 4.

**Fire-Works.**

5 *Geo. 2. c. 12.*

**B**Y this Act 'tis made a common Nuisance to make, or cause to be made, or to sell, &c. any Squibs, Rockets, Serpents, or other Fire-works, or any Cases or Molds for them, or to suffer them to be thrown, &c. out of any House, &c. into any Street, &c. or be aiding thereto.

And any Person convicted before a Justice of Peace, &c. of making, selling, or giving them, &c. by 2 Witnesses, &c. to forfeit 5 l. and suffering them to be thrown out of, or into any House, Shop, &c. to forfeit 20 s. to be levied by Distress, &c. on Warrant of said Justice, for the Poor and Prosecutor, on Default of Payment to be sent to the House of Correction for a Month.

Officers of the Ordnance are excepted, the general Issue pleadable, and full treble Costs given to Defendants sued for executing this Act.

Vid. *Fire*, 6.

**First-fruits.**

28 *H. 8. c. 3.*

**A**Rchbishops, &c. to pay annat the Profits for one Year of their Livings to the King before actual Possession.

Vid. *Post* 8.

The Lord Chancellor, Master of the Rolls, Under Treasurer, &c. to examine and search for the Value of the First-Fruits, and agree for the Payment.

Bonds given for such to remain in the Hanaper Office, or where the King shall appoint, and the Treasurer to accompt, and Process to issue for Non-payment on said Bonds.

Acquittance from the Clerk of the Hanaper to be a good Discharge for such, Commissioners of the First-Fruits in 6 Months to deliver to the Under Treasurer, &c. such Money and Specialties as they shall receive.

The *English* Act of 26 *H. 8. c. 3.* as far as relates to the Surety of Payment, is by this Act in force in *Ireland*. Vid. *Post*. 8.

All

## First-Fruits.

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- 6 All First-fruits payable heretofore to others to cease, and be payable to the King only.
- 7 On the Avoidance of a Benefice, the King out of the Profits thereof to provide a Curate till one is admitted, &c.
- 8 If any be convicted by Presentment, Verdict, &c. to have entered on any Livings before Payment or Composition for the First-Fruits, he shall forfeit double the Value of them. 26 H. 8. c. 3.  
Eng. Ant. 5.
- 9 Bishops may give Institution, &c. notwithstanding this Act.
- 10 The First-fruits and Profits of Abbies is by this Act granted to the King, &c. 28 H. 8. c. 26.
- 11 By an Act made 3 and 4 P. & M. c. 4. the said First-fruits were to cease, which was by this Act repealed, and the Payment of them revived as aforesaid, and also the Payment of the 20th Part granted by 28 H. 8. c. 14. (But see Tit. Twentieth Part,) where 'tis released to the Clergy for ever. 2 El. c. 3.
- 12 Vicarages not exceeding 6l. 13s. 4d. and Personages 5l. are not chargeable with First-fruits, and to be valued by the Book of Rates in the Exchequer.
- 13 Incumbents possessed of Livings for half a Year only, to pay a fourth Part, if a whole Year, one Half, a Year and half, then three Parts, if two Years, he shall pay the whole. Post. 17.
- 14 Not to extend to charge Hospitals and Schools with First-fruits.
- 15 Queen Anne by Patent dated 7 February, the Tenth of her Reign, granted to the Archbishop of Armagh, all the First-fruits to certain Uses, which Patent is by this Act confirmed. 2 Geo. 1. c. 15.
- 16 The said several Persons and their Successors to enjoy the said First-fruits to the Uses in said Patent, discharged of the King's Right, and 7 of the Trustees may act, the Lord Chancellor, &c. to be of the Quorum. Post. 20.
- 17 Ecclesiastical Persons to have 4 Years for the Payment of the First-fruits, and to pay them yearly; if they die, or are removed, at the end of 4 Years, to be discharged of what they did not receive. Ante 13.
- 18 Said Trustees may appoint Successors to Samuel Dopping and Lord Percival, and said Trustees are by this Act created a Body Politick and Corporate, by the Name of Trustees and Commissioners, and to have perpetual Succession and a common Seal, &c. and said First-fruits are vested in them. 10 Geo. 1. c. 7.
- 20 The Solicitor General in Absence of the Attorney General, in Absence of the Prime Serjeant, in Absence of one of the Chief Judges, in Absence of 2 Bishops, in Absence of 1 Archbishop, in Absence of the Lord Chancellor, to be of the Quorum.
- 21 The next Incumbent to pay the First-fruits of united Parishes. Bishops,



**First-Fruits.**

Bishops, &c. to return into the First-fruit Office, a Certificate of the Death, &c. of any Incumbent, and the Name of his Successors, &c.

Where a Parish shall be divided, the First-fruits to be proportioned, and so if divided into 2 or more Parts, or where Part of a Parish has been made a Parish.

No Parish, or Part now exempted from First-fruits to be charged by this Act.

Vid. *Glebes*, 13.

**Fish and Fishing.**

13 E. 1. c. 47. **N**ONE shall take Salmon between the 8th of Sept. and the 11th of Nov. yearly. *Post*, 15.

31 E. 3. st. 2. No Herrings to be bought or sold at Sea, before the Fishers come into the Haven.

13 R. 2. c. 19. No Fisherman to use any Engine to destroy the Fry of Fish.

17 R. 2. c. 9. Justices of Peace shall be Conservators of Rivers; and have Power to search Weirs that destroy the Fry of Fish, and punish Offenders.

22 E. 4. c. 2. A But of Salmon to contain 84 Gallons, and to be well pack'd, on Pain of 6s. 8d. and a Barrel of Eels, 42 Gallons.

None to sell Herrings in Vessels under a Barrel, containing 32 Gallons.

2 H. 6. c. 15. None shall fasten Nets, &c. across Rivers, to destroy Fish, and disturb the Passage of Vessels, on Pain of 5l.

5 E. 4. r. 6. No Foreign Vessels to fish in *Ireland*, without Licence, on Pain of Forfeiture; a Moiety to the Seizer, another to the King.

Foreign Vessels, under 12 Tuns, having a Boat, to pay to the King 13s. 4d. yearly, for fishing; and 2s. not having a Boat: The Customers and Collectors to account for these Sums to the Lord Lieutenant, and not to the *Exchequer*. Said Vessels not to depart before Payment, on Pain of Forfeiture.

2 & 3 E. 6. c. 6. No Officers of the Admiralty shall take any thing of Persons fishing in *Ireland*, &c. on Pain of treble Value, &c.

10 Car. 1. Seff. Fishermen, &c. may enter on any Persons Lands, near the Fishing-Places, to watch, draw, and carry their Fish ashore, &c. without being subject to any Action of Trespass.

10 Car. 1. Seff. 3. c. 14. None shall presume to take any Fry or Spawn of Eels, or of any Kind of Salmon, on Pain of 40s. and all his Nets, Engines, &c. (Angling excepted).

Said Offence may be heard and determined by Indictment, &c. at Assizes or Quarter-Sessions.

2 Geo. 1. c. 21. None to keep or have a Lister or Spear for killing Salmon, or use Light upon any River, nor use Engines to take Salmon-Fry at the Tail of a Mill, on Pain of 20s. each Offence, and forfeiting the

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the Nets, &c. and any Person may seize such Spear, and carry it to a Justice of Peace, who shall destroy it.

14 And any Person may, without Warrant, apprehend Offenders against this Act; and a Justice of Peace may raise the Forfeiture off his Goods, &c. for the Informer, or on Default to be whipt.

15 None to take Salmon between the first of *August* and first of *February*, yearly, on Pain of forfeiting his Engines, Boat, &c. and 20s. before a Justice of Peace. 8 Geo. 1. c. 7. Ante, 1.

16 But not to extend to Rivers, where Salmon is in Season: The General Issue may be pleaded, by Persons executing this Act.

17 This Act was continued for 7 Years, by 10 Geo. 1. cap. 9.

18 And is further continued for 7 Years, from the End of the Parliament, by 5 Geo. 2. cap. 6.

18 Any Person may, without Warrant, seize a Person fishing with his Face blacked, or disguised, or being on or near a River, tho' not fishing, and bring him before a Justice of Peace; who shall levy from him 40s. to the Informer and Poor; or, on Failure, to be sent to the House of Correction for 31 Days. 12 Geo. 1. c. 7.

19 None, without 40s. a Year, Free-hold, or 1000l. Personal Estate, shall, for himself, or as a Servant to another, make or keep a Gaff-Net, &c. to kill Salmon, tho' no Proof that they were made for such Purpose, on Pain of forfeiting the same to the Seizer, and 40s. to the Informer and Poor. (A Right of Fishery excepted).

20 Persons killing 12 Salmon in one Day, in *February*, *March*, *April* and *May*, to forfeit 10s. before a Justice of Peace.

21 Farmers of Fishery, &c. may, without Trespass, in Spawning-Time, walk on the Bank of any River, not Orchard, &c. to apprehend Offenders: The General Issue pleadable; and treble Costs given on this Act, to Persons sued for executing the same.

22 After 29th of *September*, 1734. no Drag-Net, or Sea-Net, having a Mash less than 3 Inches and half from Knot to Knot, shall be used in catching any Fish, except Herrings, Pilchards, Sprats, Shrimps and Prawns, on the Coast, or in any Harbour or River; nor no Double-Bottom, Codd, Pouch, or other Net, shall be placed upon or behind the other, to destroy small Fish, on Pain of 40s. to the Informer and Poor; to be levied by Warrant of one, &c. Justice of Peace. 7 Geo. 2. c. 11. Post, 26.

23 From the 1st of *May* to the 20th of *August*, yearly, none shall drudge for Oysters, on Pain of 40s. to be levied by, and payable to the above Persons.

24 None to buy or sell any Barrels for White Herrings for Exportation, or pack the same in Barrels, unless made of Staves not less than 3 8ths of an Inch thick, and free from Sap, and bound with 16 Hoops, branded with the Maker's Name, and Place of Abode, and



**Fish and Fishing.**

and before such Barrel is examined by an Officer, to be appointed by any Place having a Weigh-master.

Such Officer to examine said Barrels, and if statutable, to brand them with his Name on the Sides, Top and Bottom, and the Name of City, &c. and not to be sold but in a publick Market.

And Persons that shall buy or sell Barrels not branded, or other than in a Market-town, or pack, or cause to be packed, any Herrings, or in whose Custody Herrings are found packed for Exportation, contrary to that Act, shall forfeit 20 s. to be recovered in such Manner, and payable to such Persons, as *Ante*. 22.

The Weigh-master, to be paid one Halfpenny for each Barrel, and to detain it till paid.

After 29th September, 1734. Persons entring into Contracts or Partnership, or Society for Fishing, neglecting, after 3 Months Notice, to pay their Quota, the Majority of Partners may sell the Share of such, and pay over the Money, deducting all Charges, and the Sale to be good to the Purchaser, and have the Benefit of the former Partner.

*Vid. Affize, 5. Ships, 9. Wears, 9.*

**Fisher boats.** *Vid. Fish, 15.*

**Fish mongers.** *Vid. Victuals, 2.*

**Fitzgerald, John.** *Vid. Rivers, 36. M.*

**Fitzwilliams, Lord.** *Vid. Poor-house, 1.*

**Flax.** *Vid. Hemp and Flax, per tot, steeping Flax.*

**Flax seed.** *Vid. Customs, 107. Hemp, 6.*

**Flaxen and Hempen Cloth.** *Vid. Linen Manufacture, 12.*

**Flaxen or Linen Cloth.** *Vid. Linen Cloth.*

**Foreign Flax.** *Vid. Linen Manufacture, 70.*

**Flesh.** *Vid. Butcher, 1.*

**Flocks.** *Vid. Cloth, 4. Drapery, 5. Wooll, 6, 8.*

**Flotsam.** *Vid. Customs, 113. Wreck, 13.*

**Flower.** *Vid. Corn, 11. Linen Manufacture, 34.*

**Flux of the Sea.** *Vid. Partition, 21.*

**Folliot, John.** *Vid. Poor-house, 1. Rivers, 36. U.*

**Fools, Lunaticks and Madmen.**

17 E. 2. c. 9.  
*Eng. Prerog.*

*Reg.*

17 E. 2. c. 10.  
*Eng.*

**T**HE King shall have the Custody of the Lands of natural Fools, and after their Death return them to the right Heir.

The King shall provide, that the Lands of Lunaticks be kept without Waste, and that they be maintained, and that the Residue be kept for their Use, till they recover.

**Foot ball playing.** *Vid. Lord's-day, 4.*

**Foot Races.** *Vid. Gaming, 1.*

**Force.** *Vid. Wreck, 8.*

**Forcible**

## Forcible Entry.

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**N**ONE to enter into Lands, &c. by Force, on pain of Imprisonment. 5 R. 2. c. 7. Eng.

When forcible Entry is made into Lands, &c. the Justices of Peace to commit the Offenders to Goal. Vid. *Process*, 1. Eng.

The above last Statute to be put in Force against forcible Entry, and forcible Detainer, and on Complaint of forcible Entry, a Justice of Peace, by Precept, is to command the Sheriff to summon a Jury, to enquire of the Force, and to cause the Tenements to be seized, Jurors making Defaults to lose Issues, 20, 40, and 100 Shill. 1st, 2d and 3d Defaults, double, the last after; and Head Officers of Corporations have like Power, Alienation in this Case to be void. 8 H. 6. c. 9. Eng.

No Force where a peaceable Possession has been for three Years.

If any Person, not amenable to the Common Law, do by Force enter, rob, or threaten to kill any Tenants of Lands, by strong Hand, contrary to Law, without Licence, he shall lose his Claim to the same for ever. 35 H. 6. c. 3.

If the Party indicted of forcible Entry, has been in peaceable Possession 3 Years, he shall make no Restitution, if his Estate be not determined. 10 Car. 1. Sess. 3. c. 13.

Like Restitution of Possession to be given to Tenants for Years, by *Eligit*, &c. as of Freehold.

All Justices of Assize, &c. have Power to determine Force, and award Restitution of Possession, as Justices of Peace might.

Vid. *Assize*, 10. *Supersedeas*, 2.

**Foreclosure.** Vid. *Mortgages*, 5.

**Foretaller.**

**F**ORESTALLERS shall not be suffered to dwell in a Town; the first Offence is Amerciament, and forfeit the thing bought, the second is Pillory, the third is Fine and Imprisonment, the fourth he must abjure the Town, and his Accessories the like. *Incerti temporis. Poult. 110. c. 10. Eng.*

Foretallers of Wine and Victuals, that come to any Town by Land or Water, being by Indictment, &c. thereof attainted, shall forfeit the thing forestalled, if Agreement be made for the same. 25 E. 3. c. 3. Eng.

See the 5 E. 6. c. 14. Eng. These Offenders are distinguished, but that Statute is not in Force in Ireland, and the above Statutes mention nothing of Regrater and Ingrossers. Quer. Then what Statutes are in Force in Ireland against them?

Vid. *Bread*, 30. *Gray Merchants*, 1. *Markets*, 2.

**Forests.**

**T**HREE Courts of Swainmote to be held for Forests in the Year, Peers may kill a Deer or two, in the Forest thro' which they pass, when sent for by the King. Three Claws of the Fore-feet of Dogs kept in Forests, to be cut off. (The rest of this Statute being useless in Ireland, is here omitted.) 9 H. 3. c. 1. Eng. Chart. de Foresta.

S

Tref.



3 E. 1. c. 20.  
Eng.

Trespassers in Parks, Forests, &c. to pay treble Damages, and 3 Years Imprisonment.

21 E. 1. Eng.

A Forester not to be questioned, who kills a Trespasser that won't yield himself.

34 E. 1. c. 1.  
Eng.

Presentments of Trespasses to be made at the next Swainmote, no Officer of the Forest to surcharge the Forest, on pain of Imprisonment.

1 E. 3. c. 8.  
Eng.

None to be imprisoned for Vert or Venison, unless he be taken with the Manner.

7 R. 2. c. 4.  
Eng.

No Officer of the Forest to take, or imprison any without due Indictment, or *per main viue*.

Vid. *Felony*, 8.

### Forfeited Estates.

1 An. Sess. 1.  
c. 13. sect. 109.  
Eng.

TRUSTEES may, before the 24th of June, 1703. sell the Estates, vested in them, forfeited in Ireland in 1688.

1 An. Sess. 1.  
c. 32. Eng.

Purchasers of said forfeited Estates, under the Grantees, &c. to enjoy the same, paying 13 Years Purchase of an Inheritance, and 6s for an Estate for Life, &c. according to the Rents in 1701. Quit-rent, &c. first deducted.

21000*l*. allowed to Purchasers of said Estates in part Payment.

Money allowed on Claims, to be part of the Purchase-money, and to remain a Charge thereon.

Discount to be allowed to Purchasers of Inheritance, and on Payment of the Surplus, the Trustees to convey the Premises, &c.

On default of Payment of the Remainder of the Purchase-money, by the time limited, the Trustees to sell the Lands.

*Papists* being 18 Years old, and not taking the Oaths, incapable of inheriting any of said Lands purchased from the Trustees; but the same shall go to the next of Kin, being a *Protestant*, without being accountable for Profits, &c.

Post. 17.

*Papists* are disabled from purchasing any of said Lands, the Dispositions and Sales to be made to *Protestants* only.

Post. 19.

Leases for Lives, &c. of said Lands, to be made to *Protestants* only, and those made in Trust for *Papists*, void; and the Lessor, Lessee, Occupant, Assignor or Assignee, to forfeit treble the yearly Value of such Lands so Lett, &c. to *Papists*; a Moiety to the Crown, the other to the Plaintiff a *Protestant*, to be sued for in the *Four-Courts*, by Bill, Plaint or Information; no *Essoin*, *Imparlance*, &c. allowed.

Post. 13.

Cottage-Leases of 30*s*. *per annum*, not voidable by this Act, not to extend to Rectories *Impropriat*, &c. Trustees to deduct for such, at the Rate of 13 Years Purchase.

Persons enjoined to take the Oath of Allegiance, shall take the Oath of Supremacy, on Penalty. Trustees

## Forfeited Estates.

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- 12 Trustees to pay to *William Palmer, Esq;* 1200*l.* or on Default, to have the Estate called *Dirpatrick*.
  - 13 Not above 2 Acres of Land to be Lett, with one Cottage, nor above one Cottage to one Day-labourer; Leases made for more are void. *This a publick Act.*
  - 14 Trustees to apportion Quit-rent, &c. of said forfeited Estates in *1 An. Sess. 2. c. 21. Eng.* Parcels, which being ascertained, shall be inrolled in the *Exchequer* in *Ireland*, and be good in Law, &c. Trustees not agreeing, the Lord Lieutenant, &c. to make the Apportionment.
  - 15 Lands, &c. not sold by 24<sup>th</sup> June, 1703. and all Judgments, &c. to be vested in the Crown, after which, the Trustees Power to cease, and to deliver up all Deeds, &c. the Rents to be paid in the Queen's Name into the *Exchequer* in *Ireland*.
  - 16 Debentures and Interests thereupon, applicable for purchasing Estates, &c.
  - 17 Sales, Mortgages, &c. of Estates forfeited and restored, to be *Ante. 8.* to Protestants only.
  - 18 Time allowed to Trustees for conveying Estates sold.
  - 19 Leases, Mortgages, &c. made to, or in Trust for *Papists*, are *Ante. 9.* void; and Persons claiming them to be subject to treble the yearly Value, Money paid for such Leases, recoverable.
  - 20 A Clause for the Relief of *Sir Edmund Everard*; the rest of this Act relates to the *Earl Clanricard* and *Lord Bophin*.
  - 21 Time was allowed by this Act, to Purchasers, who had paid one *2 An. c. 10. Eng.* third of the Purchase Money to pay the rest.
  - 22 Unsatisfied Debentures to be registered and entered without Fee, and 5*l.* per cent, Interest allowed.
  - 23 This Act appoints Commissioners to enquire of Estates in *Ireland*, &c. of certain Traitors and *Popish* Recusants, and of Estates given *1 Geo. I. c. 50. Eng.* to superstitious Uses.
  - 24 Persons in *Ireland* entring their Claims to the forfeited Estates, by 1<sup>st</sup> February, 1717. shall have the same Benefit as if entered by the Time appointed, by *1 Geo. I. c. 50. Eng.*
  - 25 By this Act the forfeited Estates in *Great-Britain* and *Ireland*, are *4 Geo. I. c. 9. Sect. 6. Eng.* vested in Trustees for the Use of the Publick.
  - 26 By this Act the time was enlarged to determine Claims on the forfeited Estates in *Ireland*. *5 Geo. I. c. 22. Eng.*
  - 27 Examination of Claimants, and Witnesses to the forfeited Estates in *Ireland*, may be taken before the Judges there, and being transmitted to *England*, shall be effectual. *6 Geo. I. c. 24. Sect. 7. Eng.*
- Vid. *Adwoson*, 10. Churches, 1. Debentures, 2. 5. Hollow-blades, 1. *Ireland*, 4. Rebellion and Rebels, per tot.



9 H. 3. c. 22.  
Eng. M. Chart.

THE King will not hold the Lands of Persons convict of Felony longer than a Year and Day, and then deliver them to the Lord of the Fee. But by 17 E. 2. c. 16. He is to have all the Goods of Felons and Fugitives.

34 E. 3. c. 12.  
Eng.

There shall be no Forfeiture of Lands for Treason, of Dead Persons not attainted in their Life-time. (Vid. *Slain in Rebellion*.)

15 Car. 1. c. 3.

The Grantees, Lessees, &c. of the King, shall not forfeit such their Estates, &c. for Non-payment of the Rent or Service if before Process issued, they discharge the same, tho' held on Condition to be void on failure of Payment

Nor none claiming under the King shall take Advantage of such Forfeiture.

15 Car. 1. c. 9.

No Lands, &c. shall be forfeited for the Murder of evil Persons attempting to rob, &c. tho' found Guilty by Verdict.

2 Geo. 1. c. 8.

All Regalities, Franchises, Courts, &c. granted by Car. 2. by Patent, dated 22d. of April, the 14th of his Reign, to the Duke of Ormond, which descended to James Butler, are annulled and extinguished. Vid. *Letters, Patt.* 14.

Tipperary, and Cross Tipperary, are made one County.

All Lands, Rents, Securities, Debts, Goods, &c. of the said James Butler late Duke of Ormond, are vested in the King without Office found.

All Conveyances made by him since August, 1714. (except bona fide for securing Debts, &c.) declared void. Mary his Wife, to hold her Jointure of 2000*l.* and take all Remedies for the same, as if he was dead; and 10,000*l.* to be raised for Elizabeth Butler his Daughter.

The Person next in Remainder in the said Duke's Estates, may appoint 550 Pounds per Annum, for the securing the said Elizabeth's Portion out of the said Lands. (*The Right of all other Persons saved.*)

Vid. *Alc-house*, 1, 5, 6. *Aliens*, 5, 7. *Appearance*, 2. *Aquavita*, 1. *Armour*, *Artificers*, 3, 8, 12, 13. *Affize*, 12. *Attorney*, 9, 10. *Ballast*, 1. &c. *Beef*, 1. *Bread*, 3. &c. *Bricks*, 4, 5. *Butchers*, 2, 6. *Butter*, 2, 4, 6, 7, 8, 9, 16, 19. *Captains*, 5. *Cattle*, 1, 2. *Civil Bills*, 8, 16, 22. *Cloth*, 1, 5, 6. *Coaches*, per tot'. *Coals*, 3, 7, 8. *Coin*, per tot'. *Corn*, 3. &c. *Coroners*, 6. *Corporation*, 4, 6, 9. *County Courts*, 5. *Customs*, per tot'. *Damage-clear*, 1. *Debt to the King*, 3. *Distress*, 17, 18. *Drapery*, 23, 24, 25, 26, 28, 29, &c. *Dublin*, per tot'. *East-India*, 1. *East-India Goods*, 1. *Education*, per tot'. *Egyptians*, 1. *English-Language*, 2, 4. *Escheator*, per tot'. *Estreat*, 6. *Fire*, 3. *Fire-works*, 2. *First-fruits*, 8. *Fish*, 5, 7, 8, 11, 13, 15. *Forefallers*, 1, 2. *Forfeited-Estates*, 9. *Fraudulent-Conveyance*,

Conveyance, 4. Game, per tot' Gaming, 1. &c. Gold, 3, 5. Hides, 3, 4, 5. Highways, 10. &c. Hopps, 3. House of Correction, per tot' Isle-man, 1, 2. Justice of Peace, 8. Lights, 5. Linen Manufacture, 2. &c. Maintenance, 3. Marshal, 2. Masons, 1. Measures, 1. &c. Merchants, 12. Militia, 11. Mortmain, 1, &c. Navigation, 1, &c. Oaths, 8, 10. &c. Papist, 2. &c. Parliament, 4, &c. Perjury, 1, 2. Pewter, 1, 2, 4. Plantation, 4. &c. Poor, 4. Poor-house, 18. Premunire, 1. Prisoners, 8. Privilege, 1, 2. Provisors, 8. Recognizance, 14. Register, 8, 14. Religion, 3, 9. Riot, 3. Rivers, 44. Rome, 20. Schools, 6. &c. Sheep, 2. &c. Sheriff, 13, &c. Ships, 1, &c. Soldiers, 4, &c. Solicitors, 1, &c. Swearing, 1, 2. Swine, 1. Tiles, 2. Tobacco, 1, 2. &c. Toll, 5, 6. Treason, 8. Vagabonds, 7, &c. Uniformity, 1, &c. Usury, 5, 6. Watches, 8. &c. Wears, 3, &c. Wine, 2, &c. Witchcraft, 3. Wood, 4. Wooll, 5, &c.

**Forfeiture of Marriage.** Vid. Court of Wards, 5.

**Forgery.**

- 1 **F**ORGING of Deeds, Wills, &c. to the intent that the Title of Lands, &c. may be molested or recovered, &c. and shew the same in Evidence, the Offender to pay double Costs and Damages, and be pillored, his Ears cut off, &c. and forfeit the Profits of his Lands for Life, and be imprisoned for Life. 28 El. c. 3. Post. 8.
- 2 Forging Deeds, &c. of Annuity, Fee Simple, or Tail, Term for Lives or Years, Obligation or Release of Debt, &c. to be pillored, and one Ear cut off, and be imprisoned; the Party grieved to have Remedy by Trespass wherein no Effoin, &c. allowed.
- 3 Punishment a good Bar to further Impeachment for this Offence, tho' the Plaintiff may release, &c. the Action, the Judges may proceed on the rest of the Penalties.
- 4 The second Offence is Felony without Clergy, and Forfeiture; but no loss of Dower or Corruption of Blood, but not to extend to Ordinaries, Officials, &c. Sealing of forged Wills, not knowing.
- 5 This Offence to be enquired of at Assizes, and Quarter-Sessions; all other Statutes of Forgery made void.
- 6 Costs and Damages on this Offence, to be assessed according to Law.
- 7 Not to extend to Councils or Attornies, producing forged Deeds, not knowing them to be such, nor to any Exemplification, nor to Judges sealing the same, not knowing it to be forged.
- 8 Forging, or uttering as true, any Deed, Will, Bond, Writing Obligatory, Bill of Exchange, Promissory Note, Acquittance or Receipt 3 Geo. 2. c. 4. Ante, 4.



**Forgery.**

Receipt for *5 l. &c.* or indorsing the same, the Party deemed guilty of Felony, and be burned in the Hand, or transported, at the Discretion of the Judge, but shall work no Corruption of Blood, &c.

*Quere, If this may be tried at the Quarter-Sessions, as Ante, 5.*

This Act to be in force for three Years, from the 1<sup>st</sup>. of May 1730, and to the End of the then next Session of Parliament, and no longer. Further continued to the 25<sup>th</sup>. of March 1740, by 7 Geo. 2 cap. 7.

Vid. Coin, 13. Drapery, 32. Mediterranean passes, 1. Rectories Impropriat, 2. Register, 12.

**Forma Pauperis.** Vid. Costs, 2.

**Formedon.** Vid. Fraudulent Conveyance, 7. Limitation, 3. Tail, 2. Uses, 2.

**Foreigners.** Vid. Cloath, 10. Crown, 1. Fish, 8, 9. Silver, 1.

**Foreign Coin.** Vid. Coin, 5. 6.

**Foreign Plea.** Vid. Attaint, 6.

**Foreign Power.** Vid. Bishop, 7. Rome, 19.

**Foreign Growth.** Vid. Ships, 8.

**Foreign Service.** Vid. Ability, 10. Felony, 44. Treason, 12.

**Forster, Jerem.** Vid. Lights, 1.

**Fortress.** Vid. Distress, 9. Treason, 4.

**Fortune-tellers.** Vid. House of Correction, 7. Vagabonds, 9.

**Founders.** Vid. Religious Houses, 3.

**Fowl, Fowlers.** Vid. Game, 4.

**Foundling Children.** Vid. Poor-house, 12.

**Forcs.** Vid. Grand-juries, 2.

**Fople.** Vid. Rivers, 10.

**France.** Vid. Crown, 1, 2. Custom, 103. Education, 9. Ships, 17.

**Franchises and Liberties.**

9 H. 3. c. 1.  
Eng. M. Ch.

**THE Church of England** shall be free and have all her Rights, &c. Inviolable.

9 H. 3. c. 9.  
Eng. M. Ch.

**The City of London** and all other Cities, &c. to have their antient Liberties, Franchises, &c. (This confirm'd by several other Statutes.)

*ibid.* c. 37.

If the King, or his Heirs, do or procure any Thing to infringe upon the Liberties and Customs of all Persons Spiritual and Temporal, it shall be void.

18 E. 1. Eng.  
de quo War-  
rant.

This Statute orders a Writ to issue to the Sheriff, to permit all Men to enjoy their antient Liberties, and on Proclamation made, to shew their Tenures to the Justice of Assize, or forfeit their Franchise.

Vid. Accusation, 9. Amerciament, 6. Arrest, 1. Assize, 11. Attorney, 6. Fairs, 2. Toll, 1.

**Frank**

**Frank Almoin.** Vid. *Court of Wards*, 5.

**Frank Marriage.** Vid. *Tail*, 1.

**Praternity.** Vid. *Mortmain*, 6. *Plantation*, 3.

**Fraud.** Vid. *Accounts*, 3. *Administrator*, 3. *Affize*, 11. *Corn*, 19. *Wooll*, 2.

### Fraudulent Conveyance.

- 1 **FRAUDULENT** Conveyance of Lands or Goods, to deceive Creditors, to be void, and the Creditors to have Execution. Vid. *Debt*, 3. 50 E. 3. c. 6.  
Eng. 2 R. 2. c.  
3. Eng. 3 H. 7.  
6. 4. Eng.  
3 E. 2. c. 4.
- 2 Feofments made of Lands to the intent to rebel, or commit Felony, and have his Lands again void.
- 3 Fraudulent Conveyances, Grants, Leases, Judgments, &c. made to defraud any Purchaser, he having obtained the Lands, &c. or Rent, &c. shall be void as against him. 10 Car. 1. Sess.  
2. c. 3.
- 4 Persons privy to such Conveyance, &c. and justifying the same, to forfeit one Year's Value of such Lands, &c. and one Year's Imprisonment.
- 5 But Conveyances made to others, *bona fide*, to be good.
- 6 Lands, &c. conveyed by Deed, &c. with Power of Revocation, &c. and are afterwards sold or charged, &c. without actually revoking the first Conveyance. Such first Conveyance is hereby deemed void against such Bargainees, &c. (Mortgages, *bona fide*, excepted.)
- 7 This Act not to impeach common Recoveries against Tenant in Tail, &c. as to the Reversioners or Remainder-men, nor any Conveyances, whereby a Voucher is used in *Formedon*.
- 8 All Wills concerning Lands in Fee-simple, in Possession, Reversion or Remainder, shall be void, as to Creditors, by Bonds or Specialties. 2 An. Sess. 2. c.  
5.
- 9 Such Creditors may have their Action of Debt against the Heir, and Devisee jointly.
- 10 Conveyances (not, *bona fide*, made before the Action brought) by the Heir, who is liable to his Ancestors Debts, of Lands descended to him, such Heir shall be answerable for the Debt, to the Value of the Lands so conveyed: And Devisees, aliening before the Action brought, liable in the same manner, Devise for Payment of Debts, or Childrens Portions (except the Heir) made in Pursuance of Marriage Articles, the same shall be in force.
- 11 The Heir may plead *Reins per discent* to an Action upon a Specialty, and if found for the Plaintiff, the Jury may enquire the Value of the Lands.

Vid. *Debt*, 3. *Feofment*, 1. *Register*, 3. *Tories*, 18.

**Frap.** Vid. *Affray*.

**Freeholds**



**Freeholds and Freeholders.** Vid. *Accusation*, 4. *Attaint*, 1. *Bailiffs*, 1. *Distress*, 8. *Fish*, 19. *Game*, 2. *Glebes*, 14. *Grand-jury*, 11. *Jurors*, 1, 2, 7, 8, 10. *Parliament*, 4, 5, 17, 30, 31, 34, 50. *Schools*, 14. *Sheriff*, 52.

**Freemen.** Vid. *Accusation*, 1. *Amerciament*, 1, 5. *Artificers*, 5. *Cloth*, 5. *Corporation*, 6. *Galway*, 4. *Homage*, 1. *Parliament*, 52. *Plantation*, 3, &c. *Poor-house*, 12.

**Free-school.** Vid. *Schools*, 2, 14, 15.

**Freight.** Vid. *Wears*, 6, 7.

**French, Arthur.** Vid. *Rivers*, 36, C.

**French, Robert.** Ibid. C.

**Friers and Frieries.** Vid. *Papists*, 10.

**Fry of Fish.** Vid. *Fish*, 3, 4, 11.

**Fritel, George.** Vid. *Rivers*, 1, &c.

**Prizes.** Vid. *Drapery*, 3.

**Fruit.** Vid. *Lord's Day*, 2. *Wood*, 6.

**Fruit Trees.** Vid. *Hedge-breakers*, 1. *Wood*, 6.

**Fugitives.** Vid. *Forfeiture*, 1.

**Fuller's Earth.** Vid. *Sheep*, 4. And by 9 and 10 Gul. 3. c. 40. Eng. none is to export it out of England into Ireland, on pain of 1 s. per every Pound weight.

**Funeral Charges.** Vid. *Administrator*, 5.

**Furniture.** Vid. *Felony*, 11. *Militia*, 6.

**Furs-burning.** Vid. *Game*, 7.

**Fur-skins.** Vid. *Ireland*, 7.

**Fustians.** Vid. *Drapery*, 17.

**Fustick.** Vid. *Ships*, 18.

**Gabbards.** Vid. *Ballast*, 1. *Coals*, 1.

**Gads of Oak.** Vid. *Oak Gads*. *Wood*, 9, 12.

**Gads and Withs.** Vid. *Hedge-breakers*, 3, 7, 9.

**Gaff.** Vid. *Fish*, 19.

**Gagers.** Vid. *Gaugers*.

**Galland, Benj.** Vid. *Parish Churches*, 3.

### Galway.

4 Geo. 1. c. 15.

**T**HE Sheriff may summon Protestant Freeholders out of the County at large, to serve on Juries in the Town, in Pleas of the Crown, but subject to the same Causes of Challenge, &c. as if of the Town, and their Issues estrated to be returned to the Exchequer.

None to be elected Mayor, Sheriff, or common Councilman for Galway, that is not an Inhabitant for one whole Year before.

The Lord Chancellor may appoint 4 Justices of Peace for the Town of Galway.

All

## Galway.

140

All Trades-men coming to reside in Galway, shall be Free during Residence, provided he was a *Protestant* for 7 Years before, and shall take the Oaths.

Elections of Members of Common-Council (except those who served Sheriffs) made since the first of *August*, 1714. to the time of this *Act*, declared void.

Vid. *Ballast*, 11. *Corn*, 16. *Lights*, 12. *Papists*, 36.

## Galtrim Parsonage.

BY this *Act* the said Parsonage in the County and Diocess of *Meath*, is united to the Monastery of *Peter and Paul* of *Newtown*, near *Trim*.

## Game.

ALL Laws relating to the Game and Fish, not repealed to be put in Force. 10. *Gul.* 3. *Seff.*  
2. *Cap.* 8.

None shall keep a Hound, Beagle or Spaniel, nor shoot or kill, &c. any Hares, Partridge, &c. that has not 40 *l.* a Year Free-hold, or 1000 *l.* personal Estate, above all Debts; on pain that the same may be seized by any Justice of Peace, &c. or by any Free-holder of 40 *l.* *per Ann.* and on conviction to forfeit 5 *l.* to the Informer and Poor.

None qualified to keep such Hounds, &c. shall shelter Persons not qualified, on pain of 40 *l.* to be recovered by Action of Debt, &c. in the *Four-Courts*, wherein no *Essoin*, &c. allowed.

No *Papist* to be employed as a Fowler for a *Protestant*, on pain that the Fire-Arms may be seized from him, and shall become the Property of the Seizor.

None to shoot a Deer except on his own Ground (or being a *Protestant*) on the Ground of his Master (and that by Warrant) on pain of 5 *l.* on conviction before a Justice of Peace, to the Informer and Poor.

None to kill any Male-deer before the 10th. *June*, unless of his own, nor any Male-fallow-deer, after *Michaelmas*, yearly; on pain of 5 *l.* as ante.

None to burn any Furs, Heath, &c. on any Mountain, &c. from the 2d. *February*, to the 14th. *June*, yearly; on pain of 5 *l.* as afore-said.

None to trace a Hare, &c. in the Snow, nor destroy the Eggs of Partridge, &c. or any Wild-fowl.

None to shoot at, or kill a Pidgeon, except his own; on pain of 10 *s.* This *Act* not to extend to Tenants keeping Grey-bounds for the Landlord, so that they don't use them but in his company, &c.

T

None



## Gaming.

None disqualified as aforesaid, to keep a Setting-dog or Bitch, unless licensed by the Justices in Sessions to teach such; and he must teach one or more Hounds to hunt on Dry-foot every 2 Years, or else his Licence to be void, and shall be subject to the Penalties.

Servants fowling, not to sell the same, but bring the Fowl to the Master's house, on pain of 20 s. to be examined as *ante* (5.)

None of the Army to go out of their Quarters or Garrison with Fire-Arms unless on Duty, on pain of 5 s. each Offence, and the Commanding Officer to deliver up such Person on request to the Magistrate, on pain of 5 s.

No Commissioned Officer to hunt with Grey-hounds, &c. except on his own Ground, without leave from the Owner, on pain of 5 s.

Justices of Peace may send Warrants with Constables to search for Venison, Hare, &c. as in the Case of stolen Goods, and the Offender not giving a lawful Account, how he came by such, to be fined.

Lords of Manors may license 2 Game-keepers, who may seize Guns, &c. from Persons not qualified within the Manors, and may oppose Offenders from killing the Game in the Night-time.

Constables, &c. may detain the Offenders in Custody till a return be made (not exceeding 2 Days) of the Warrant issued for levying the Penalty. Persons punished by this Act not to suffer by any other Law, the general Issue may be pleaded by Persons executing this Act.

If any Tradesmen or Apprentices do hunt, hawk, fish, or fowl, they shall be liable to the Penalties.

But not to extend to those licensed by the Lord of the Manor.

II. An. c. 7.

The following Rewards to be paid, for killing an Otter 5 s. Weazel and Heron 6 d. each, Kite 4 d. Scallop 2 d. by the Grand-Jury at the † Sessions.

† Vid. Highways, 34. contra.

None without consent of the Owner, to kill red Deer or its Calf, on pain of 40 s. Persons by Warrant may search any disqualified Places, for red Deer-Skin, Flesh, &c. and the Offenders to be punished, &c.

Persons buying red Deer-Skin, Calf, &c. to forfeit 20 s. to the Discoverer.

Said Forfeitures to be heard and determined by Justices of Peace. Vid. Soldiers, 11.

Gaming.

## Gaming.

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- 1 **P**ERSONS by Fraud, &c. in playing at Cards, Dice, Tables, Bowles, &c. Horse-Race, Cock-fight, &c. or by betting, winning any Sum of Money, &c. shall forfeit treble the Value, one Moiety to the Loser, the other to the King, to sue for it in 6 Months, or any other may sue in other 6 Months after in the *Four-Courts*. No *Essoin*, &c. allowed and treble Costs. 10 Gul. 3. Sess. 2. c. 11.
- 2 If any shall play for any thing other than ready Money, or shall take any Security, &c. for Money won, the same shall be void, and shall forfeit treble the Value, to be sued for in one Year, to the King and Plaintiff. Post 5, 6.
- 3 All Lotteries and gaming Tables (except the Groom-porters, during the Residence of the Chief Governor) adjudged a Nuisance. 6 An. c. 17. Post 12.
- 4 Persons keeping gaming Tables, &c. opened by betting, shall forfeit any Sum before a Magistrate, not exceeding 40 s. Informations to be within 10 Days.
- 5 Securities, &c. for Money won at Play, or by Betts, or lent at the Play or to play with, are void. 11 An. c. 5. Ante, 2.
- 6 Such Securities affecting Lands, to enure to the Use of the Person to whom the Lands should come, if the Incumbrancer was dead, as if the Securities were made to him.
- 7 Any Person may recover back any Sum above 10 l. lost within 24 Hours, or at one Meeting, if sued for in 3 Months, or a Stranger after may sue for it by Action, wherein no *Essoin*, Privilege of Parliament, &c. allowed, and the Defendant to answer any Bill upon Oath.
- 8 Persons by Fraud, &c. winning at Play, or by betting above 10 l. in 24 Hours, &c. to forfeit 3 times the Value, and in Case it be infamous, to be punished as for Perjury.
- 9 Any 2 Justices of Peace may summon any Person not having a visible Way of Living, and if he lives by Gaming, he may be imprisoned, upon Default of Security, for one Year, and playing in that time to 20 s. in Value at one Time, is a Forfeiture of his Recognizance.
- 10 Persons challenging to fight, &c. on Account of Gaming, being convicted, &c. to forfeit all their personal Estate, and be imprisoned for 2 Years. This Forfeiture is to the Crown.
- 11 None to play, or suffer to play, at Cards, &c. in any Shop, &c. on Pain of 10 l. to be distributed as aforesaid; but the Possessor to be acquitted on his discovering, if without his Consent.
- 12 All Lotteries shall be deemed publick Nuisances, and Persons shewing or exercising them, to forfeit 100 l. and Persons throwing at them 10 l. to the Crown, Poor, and Informer, with double Costs. None prosecuted hereon to be prosecuted on any other Statute.

Vid. *Act-Houses*, 41



**Gaming-House.** Vid. *Rivers*, 58.  
**Game-keepers.** Vid. *Game*, 15.  
**Games.** Vid. *Lords-Day*, 4.  
**Goals.** Vid. *Goals*.  
**Goalers.** Vid. *Goalers*.  
**Goal Delivery.** Vid. *Goal Delivery*.  
**Garbage.** Vid. *Infection*, 1.  
**Gardner, Luke.** Vid. *Poor-House*, 1. *Rivers*, 36. L.  
**Gardiniers.** Vid. *Hedge-breakers*, 1.  
**Garnishment.** Vid. *Disceit*, 3.  
**Garrans.** Vid. *Clergy*, 6.  
**Garricloin.** Vid. *Parish-Churches*, 20.  
**Garrisons.** Vid. *Game*, 12.  
**Gavel-kind.** Vid. *Papists*, 32.  
**Gaugers.** Vid. *Customs*, 39.  
**Geldings.** Vid. *Horses*.  
**General Issue.** Vid. *Actions-popular*, 5. *Apprentice*, 2. *Artificers*, 7. *Ballast*, 10. *Beef*, 3. *Bread*, 11. *Butcher*, 7. *Butter*, 2. *Customs*, 14. *Dublin*, 11. *Fish*, 16. *Game*, 16. *Hemp*, 10. *Hides*, 4. *High-ways*, 64. *House of Correction*, 8. *Intrusion*, 1. *Ireland*, 11. *Isle-man*, 4. *Lights*, 5. *Linen-Manufacture*, 5. *Officers*, 8. *Poor*, 5. *Poor-house*, 16. *Prisoners*, 9. *Rivers*, 10. *St. Patricks*, 6. *Servants*, 17. *Swearing*, 2. *Watches*, 11. *Wears*, 9. *Wool*, 25. *Wreck*, 11.  
**Gernanstown.** Vid. *Castlebellingham*.  
**Gild.** Vid. *Guild*. *Mortmain*, 6. *Plantation*, 3.  
**Ginger.** Vid. *Ireland*, 7. *Ships*, 18.  
**Gift.** Vid. *Deeds of*.

### Glebes.

15 Car. 1. c. 11. **ANY** Person may endow Churches without Glebes, without Licence of Mortmain.

2 An. Sess. 1. c. 10. **Parsons** having Cure, with the Approbation of the Diocesan and Patron, may exchange distant Glebes with an Archbishop or Bishop, &c. for Lands of equal Value contiguous to the Church.

The Sheriff to call a Jury to ascertain upon Oath, the Value of the Lands, and the Inquisition to be returned to the Exchequer.

Post, 11, 18, 25. **Archbishops, &c.** having Lands near the Church belonging to the Archbishoprick, &c. may grant 20 Acres of such to any such Church, as a Glebe not already endowed, subject to a Rent for ever.

This Act was for 21 Years, and was continued by 10 Geo. 1. c. 5. 4. till September 1731, and is further continued for 21 Years by 5 Geo. 2. c. 6. which adds, that said Exchange may be made for Conveniency of Scituation, tho' not near the Church.

Any

- 6 Any Archbishop, &c. or other Dignitary, may exchange the Mensal Lands in Cities, and which lie convenient to the Cathedral-Church, for building; pursuant to the Stat. 2 An. 8 Geo. I. c. 11.
- 7 Any Archbishop may, by Consent, &c. set apart, for Mensal Lands, such of his other Lands, out of Lease, as lie nearer than those already Demesne Lands; and set the old Mensal Lands at the improved Rent, &c.
- 8 The Archbishop of *Dublin* may grant any Lands of which he is seized, in his own Right, to any Curate in the Diocese of *Dublin*, and his Successors; and such resident Curate, his Successors, &c. building, &c. thereon, his Executors, &c. to be reimbursed by his Successors, &c. as others are, (by 10 Gul. 3. c. 6. Vid. *Spiritual Persons*, 6, 7.
- 9 Any Person may endow a Church with Lands (except Demesne) and reserve a Rent in such manner, as *ante*, 1. and such Endowments to be inrolled in *Chancery*. 8 Geo. I. c. 12.
- 10 Incumbents purchasing Glebe-Lands, and endowing the Church, shall be re-imburfed, as *ante*, 8.
- 11 Any Archbishop, &c. by Consent, may grant to any Incumbent, having Cure of Souls, 40 Acres of the See-Lands, as a Glebe, subject to Rent, &c. as *ante*, 4. provided he has but 40 Acres in the whole. *Post*, 18, 25.
- 12 Glebe-Lands, in an Episcopal Union, not to exceed 60 Acres.
- 13 Any Incumbent, building a House on his Glebe, may, on the Bishop's Certificate, receive, from the Trustees of the First-Fruits, 100*l.* at their Discretion. *This exclusive of what he is to receive as ante*, 8.
- 14 Lands given, as aforesaid, shall not make the Parson a Free-Holder to any Purpose.
- 15 Deans and Chapter, by Consent, &c. may endow or augment Vicarages and Curacies with Glebes or Tythes. (Vid. *Parish Churches*, 44.) 10 Geo. I. c. 6.
- 16 Bishops, and all other Dignitaries, may, by Consent, &c. exchange any Rectory, or Tythes, for any Lands of equal Value.
- 17 This Act to be in Force for 10 Years, from 2d *February*, 1723.
- 18 Persons seized of Lands in Tail, in Possession, may grant a Glebe to any Incumbent, with Cure, as *ante*, 1, 9. and all Lands, so granted, may be granted, in Trust, for any such Incumbent, and his Successors. 1 Geo. 2. c. 15. *Post*, 25.
- 19 The Bishop shall sequester the Profits of the Living for Rent due on the Lands so granted, by this or said former Acts, being 21 Days in Arrear; and the Successors also to be sequestered for such Rent, till the same is paid.

Such



Such Incumbent holding Glebes subject to Rent, to produce and prove, at the Visitation annually, an Acquittance in full for the last Rent (lest the Successor may be charged with more than one Year's Arrear) or on Default thereof, the Bishop to sequester.

Rectors, &c. neglecting, &c. to build, &c. as covenanted by the Grant, the Bishop to sequester, and see the same done: Rectors, &c. not to demise Lands so granted.

The Curates in the Absence of the Rector to enjoy such Lands so granted, with the Improvements.

Rectors, &c. of 150 l. per Ann. Livings, having convenient Glebes, shall build a Slate-House thereon after 2 Years Possession; and on Failure, the Bishop to sequester a Fourth Part, as far as one Year and a half's Income, and build the same.

Every Archbishop, and all other Dignitaries, may grant Lands of the See, &c. not exceeding 20 Acres, subject to Rent, for a Glebe to any Church convenient thereto, not having 10 Acres before: Rectors, &c. improving on such, to be re-imburshed by his Successor 3 Fourth Parts, &c. 2 Thirds from the next; and the one half from the third Successor; but no Successor to exceed one Year and half's Income.

3 Geo. 2. c. 12. Tenant for Life, Remainder to his Issue, may grant 20 Acres of Land to the Uses, as ante, 18. subject to the improved Rent, &c. to be ascertained by a Jury summoned by the Sheriff, the Enquest to be sent to the Bishop, and thence to the Exchequer; said Glebe to be subject to all former Laws, &c. and the Incumbent likewise. Vid. Appropriations, 2. Leases, 8, &c. Parish Churches, 65.

Glebes. Vid. Wood, 3.

Glynn. Vid. River, 16.

Goal. Vid. Accounts, 2. Cosherers, 2. Felony, 38. Grand-juries, 2. Murder, 2.

Goal Delivery. Vid. Examination, 2. Justice of, per tot. Sheriffs, 21.

Goalster. Vid. Approver, 1. Coroner, 9. Customs, 80. Debt, 2. Grand-juries, 8. Justices of Goal Delivery, 2. Prisoners, 2. Sheriff, 6. Vagabonds, 13.

Goats. Vid. Wood, 2.

Goat-Fells. Vid. Cloth, 4.

### Gold, Silver, and Goldsmiths.

28 E. 1. c. 20.  
Eng.

NONE to make any Vessel, &c. of Gold or Silver, except of good and true Allay Gold of a certain Touch, and Silver of Ster. Allay, and to be essayed and marked.

27 E. 3. c. 14.  
Eng.

Merchants, Denizens and Strangers may import Plate of Silver and Gold, &c. to the King's Bullion, taking Gold and Silver equal to the Value. Goldsmiths

## Gold, Silver, and Goldsmiths.

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Goldsmiths to have their own Marks on Plate, but not to be set on till the Surveyors have made an Essay; false Metal to be forfeited to the King. 37 E. 3. c. 7. Eng.

Sheaths or any Metal but Silver, not to be gilded, and Church Ornaments may be gilded. 9. H. 5. c. 3. Eng.

None shall sell any work of Silver, unless it be as fine as Sterling, (except the Solder) marking Work otherwise, to forfeit double the value. 1. H. 6. c. 14. Eng.

Finers of Gold and Silver, not to allay or sell it, but to the Officers of the Mint, Goldsmiths, &c. nor sell any Silver in mass, molten, and allayed, on pain of Forfeiture; twelve penny weight allay, to be in a pound weight of Silver. 4. H. 7. c. 2. Eng.

By the 5. H. 4. c. 4. Eng. it was Felony to multiply Gold or Silver, but that is by this Act repealed. 2. An. Sess. 2. c. 12.

No Mines of Copper, Tin, Iron or Lead, though Silver may be extracted, shall be deemed Royal Mines, and all Subjects may enjoy their own Mines, where Ore is found, but that the Queen may have the same, paying for Copper, 16 s. Tin 40 s. Iron 40 s. and Lead 9 l. per Tun. vid. Confirmation. 6. contra.

A grant from King James 2. to the Earl of Abercorn, of Mines made void, and he to have 4000 l. from the Treasurer in lieu thereof.

Lessees under said Earl, to pay their Rent to the respective Owners; all Leases made by him of Mines not opened yet, to be void.

All Bishops, &c. Corporations, Tenants for Life, remainder in Tail to his Son, Tenants in Dower and Courtesie, by Consent of the Reversioner, &c. may make Leases of all Mines for 31 Years, at an Improved Rent. 10 Geo. 1. c. 5.

Tenants for life not punishable for waste, making such Leases, to have two fifth parts of the Rent, and the other three fifths to the Person in remainder, during his Inheritance.

All Guardians, Trustees and Committees of Infants, Lunaticks, &c. may grant such Leases by Consent of the Lord Chancellor.

Persons to whom the Rent on Fee-farm, Leases or Long-terms belong, may open Mines on the same Lands, and demise them for 31 Years, making amends for Damages to the Tenant in Possession, to be ascertained by a Jury if Parties cannot agree; and two Justices of Peace may issue a Precept to the Sheriff for that purpose, and return the finding into B. R. and Execution to be had from thence, the Jury to take the view.

No Mines to be opened where Churches, Houses, Gardens, &c. stand.

The Mortgagor, &c. may avoid such a Lease, made by the Mortgagor without his Consent.

Lessees



**Gold, Silver, and Goldsmiths.**

Lessees not begining to work in a Year from the Demise, or not keeping 6 Men 150 Days in every Year at Work, their Lease to be void, a Joyntreſs can't make ſuch a Lease, the Right of Pre-emption ſaved to the King.

Vid. *Aliens*, 3. *Corn*, 2. 3. *Rivers*, 62, &c.

**Goods**, Vid. *Accuſation*, 2. *Administrators*, 3. *Certificate Goods*, per tot, *Contracts*, 1. *Customs*, 80, 81. *East-India*, 1. *East-India Goods*, 1, 2. *Iſle-man*, 1. *perishable Goods*.

**Goods of a Felon**. Vid. *Felony*, 7.

**Good Behaviour**. Vid. *Ale-house*, 3. *Irishmen*, 2. *pardon*, 2. *Superſedeas*, 1.

**Goze, Sir Ralph**. Vid. *Rivers*, 36.

**Goze, Sir Arthur**. Vid. *Rivers*, 36. C.

**Goſs-burning**. Vid. *Furs-burning*.

**Chief Governors**, Vid. *Accuſation*, 9. *Felony*, 42, 54.

**Chief Governors and Council**. Vid. *Ale-house*, 2. *Customs*, 71, *Militia*, 10.

**Governors of Colleges**. Vid. *Heads of Colleges*, *Irishmen*, 1. *Uniformity*, 20.

**Governor of the Houſe of Correction**. Vid. *Grand-juries*, 8. *Houſe of Correction*, 3, 4.

**Governors of the Work-house**. Vid. *Coaches* per tot.

**Graham, William**. Vid. *Poor-house*, 1.

**Grain**. Vid. *Corn*, 3, 8.

**Granagh**. Vid. *Parish-Churches*, 20.

**Grand-Cape**. Vid. *Summons*, 2.

**Grand-Juries.**

2. *Ani. Seſſ.* 2.  
6. 6.

**N**O Preſentment by a Grand-Jury for raiſing Money for any Uſes not Lawful, or not herein contained, ſhall be allowed, Grand-Juries to ſign all Preſentments.

*This can't be done at Seſſions. Vid. High-ways, 34. except Dublin and County.*

They may preſent Money for building and repairing Session-house, Goal, Bolts, &c. Stocks, Whipping-poſt, Ducking-ſtools, Pillories and Pounds, for conveying Felons to Goal, 1 *d.* per Mile, for deſtroying Wolves, Foxes, &c. and for recovering publick Money in the hands of the Collectors thereof.

Money raiſed to be laid out to the Uſes preſented, and no other Collectors thereof to ſtand charged with the ſame till they pals their Accounts, and to make the Account upon Oath, if required by the Judges, &c. and on default of a good Account, or not paying over the Ballance, to be committed to Goal in Execution.

Preſentments in *B. R.* not to be confirmed, till the 6th. Day of the next following Term, and to be poſted up the firſt 5 Days of ſaid Term.

No

## Grand-Juries.

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- 5 No *Papists* shall be put on a Grand-jury, where *Protestants* can be had. 6 *An. c. 6.*
- 6 No Money shall be raised by Grand-juries for Bridges or High-ways without Affidavit by two, (who viewed the place) that the same is wanting, and setting forth the Number of Perches; no Presentment to be allowed without such Affidavit annexed. 6. *Geo. 1. c. 10*
- 7 The Overseers in said Presentment to account for the Money received upon Oath, at the next Assizes, and pay the same to the Treasurer, or on default, to be committed to Goal.
- 8 Grand-juries at the Assizes, and at the Sessions in *Com' Dublin*, may present, not exceeding † 20 *l. per Ann.* for the Treasurer, 10 *l.* † *Post. 13:* for the Goaler, and 5 *l.* for the keeper of the House of Correction. (*Vid. House of Correction, 4.*)
- 9 Treasurer to make up his Accounts upon Oath every Assizes, and for the City and County of *Dublin*, at the King's-Bench and Quarter-Sessions, as often as required, and lay them before the Grand-jury; no Treasurer to compound or make Deductions, and offending herein, to be rendered Incapable, and committed 'till he fairly accounts.
- 10 This Act is made Perpetual, by 10. *Geo. 1, c. 3.*
- 11 Two Justices of the Peace, of 100 *l. per Ann.* Free-hold, may appoint 5 *l.* to be laid out to repair any Bridge broken, between the 2 Assizes, which the County ought to repair, on Affidavit thereof; and the Grand-jury are required to raise said 5 *l.* by Presentment the next Assizes, or if in *Com' Dublin*, at the Sessions. 1. *Geo. 2. cap. 3.*
- 12 This Act is continued, by 5 *Geo. 2. c. 6.* for 7 Years, from the End of that Parliament.
- 13 The Grand-jury of the County of *Cork*, may at the Assizes present any Sum not exceeding 80 *l. per Ann.* as a Salary for the Treasurer of that County, over and above the 20 *l. per Ann.* already allowed by Law. 7. *Geo. 2. c. 12.*
- 14 High Constables to be appointed in all Counties (except the City and County of *Dublin*) by Presentment of the Grand-jury at the Assizes, to be confirmed by the Court and not at quarter Sessions, and to be continued for one Year, unless removed by the same, and to be discharged at the Year's End, on producing to the Grand-jury a Discharge from the Treasurer for the publick Money.
- 15 The Treasurer may recover all Arrears of the publick Money from the Executors or Administrators of a High-Constable, by Civil Bill, tho' exceeding 20 *l.* at the Assizes, giving 12 Days notice; all equitable defence allowed to the Defendant and Appeal as usual; to be prosecuted in 2 Years from his Death.

*Vid. Bridges, 2. Butter, 6, 11. Cattle, 5. Dublin, 20. Felony, 12, 27, 38, 48, 59, 60. Game, 19. High-ways, 13, 20, 22, 29. House of Correction, 10, 11, 13. Papists, 50. Prisoners, 10, 14. Schools, 16. Tories, 6, 7, 8, 23. Watches, 3. Wood, 1.*

U

Grand



**Grand Serjeanty.** Vid. *Court of Wards*, 5.

### Grants.

3 & 4 p. & m. **BY** this Act a Power was given to the Earl of *Suffex*, then Lord Deputy of *Ireland*, to grant to Subjects of *England* and *Ireland*, Lands, &c. in certain Counties, for planting the same with good Subjects; subject to Rent and Service, and Patents to be passed for the same.

Vid. *Assignment*, 1. *Attornments*, 1. *Confirmation*, 7. *First-fruits*, 15. *Glebes*, 4, 11, 24, 25. *Letters Patent*, 2, &c. *Mortmain*, 1. *Pious Uses*, 1. *Schools*, 14, 15. *Spiritual Persons*, 10. *Trusts*, 2. *Uses*, 1.

**Grantees.** Vid. *Aid*, 2. *Letters Patent*, per tot.

### Gray Merchants.

33 H. 8. Sess. 1. c. 2. **NONE** to buy Hides, Fells, Chequers, Fleges, Yarn, Linen-Cloth, Wooll or Flocks any where but in open Fairs or Market, intending to sell the same again, on pain of being adjudged a Foretaller.

Power is given to the Lord-Deputy to make this Act void by Proclamation, not to extend to Tanners. *This is made perpetual*, by 11 El. Sess. 1. c. 5.

Vid. *Linen-Manufacture*, 6, 65.

**Graziers.** Vid. *Butcher*, 3.

**Great Britain.** Vid. *Ireland*, 5. *Register*, 15.

**Great Seal.** Vid. *Exemplification*, 1. *Keeper of*, 1. *Minister*, 2. *Parliament*, 19. *Rome*, 3. *Seal*, 3.

**Greece.** Vid. *Rivers*, 18.

**Green-Wax.** Vid. *Estreats*, 4. *Sheriffs*, 2, 41.

### Greenwich-Hospital.

2 Geo. 2. c. 7. **EVERY** Seaman employed in Ships on the Seas, or in Port, in any of the Plantations, Colonies, &c. *Jersey*, or *Isle-man*, (Prentices under 18 Years excepted) to pay 6 d. per Month towards said Hospital.

Masters, &c. to pay such Part of said Duties as shall be due from them on their Arrival in *England* or *Ireland*, and no Part of said Duty to be paid in said Islands, by Ships going from *England* or *Ireland* thither, and returning back again.

Masters, &c. to pay said Duty before they are cleared, inwards, Persons neglecting, to forfeit 20 l.

10 An. c. 17. *Eng.* 6 d. per *Mensem* to be paid by all Masters, Sailors, &c. (Prentices, as above, excepted) belonging to the Subjects of *Ireland*, &c. for said Hospital, and the Admiralty may appoint Collectors in all Ports for the same.

*Eng.*

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**Grey-hounds.** Vid. *Game*, 2, 9.  
**Grey-Merchants.** Vid. *Gray Merchants*.  
**Groom-Porters.** Vid. *Gaming*, 3.  
**Ground Corn.** Vid. *Measures*, 17.  
**Guardians.** Vid. *Accounts*, 4. *Admeasurement of Dowry*, 1. *Court of Wards*, 1, 8, 9. *Gold*, 13. *Heirs*, 1. *Infants*, 1. *Leases*, 11. *Papists*, 23. *Waste*, 1, 2. *Wills*, 6, 7. *Women*, 3.  
**Guardian of the Spiritualties.** Vid. *Rome*, 10.  
**Guernsey.** Vid. *Sheep*, 4.  
**Guilding.** Vid. *Coin*, 16.  
**Guns and Gunners.** Vid. *Game*, 15. *Wooll*, 32.  
**Gun-powder.** Vid. *Dublin*, 39, 40, 41.  
**Gun-powder-treason.** Vid. *Anniversary*, 1.  
**Gun-smith.** Vid. *Papist*, 5.  
**Gypsies.** Vid. *Egyptians*.

### Habeas Corpus.

- 1 **N**O Writ of *Habeas Corpus* or *Certiorari* to be granted, unless the Cause of Imprisonment be therein contained, and the same to be signed by the Chief Justice, or in his Absence, by one of the others, on pain of 5*l.* and the Writ to be void. 10 Car. 1. *Seff.* 2. c. 18.
- 2 No Writs of *Hab' Corp'* or *Certiorar'*, or other Writs (except Error or Attaint) to remove any Cause, &c. from an inferior Court, shall be allowed or received by the Judges, &c. of such Courts, except the same be delivered before Issue or Demurrer joined, unless the same be joined in 6 Weeks after Arrest or Appearance. 9 Gul. 3. c. 38.
- 3 After *Procedendo* remanded, said Action shall never be removed again before Judgment.
- 4 No Action to be moved out of said Courts, not concerning Freehold, &c. if the Demand amount not to 5*l.* except by Error or Attaint.
- 5 Writs issued contrary to this Act, may be refused by the Judges, &c. of the said Courts.
- 6 If a *Corpus cum Causa* or *Certiorari* be granted to remove a Person in Execution, he shall be remanded. 2 H. 5. c. 2. *Eng.*
- 7 Sheriffs and other Officers not obliged to remove a Prisoner in Execution, on a *Hab' Corpus*, on his own Behalf, until the Prisoner deposite the Expences of his Removal. 8 Geo. 1. c. 6.

Vid. *Fees*, 26. *Prisoners*. 2.

**Habeas Corpora.** Vid. *Error*, 9.

**Habit.** Vid. *Apparel*, 2.

**Hall.** Vid. *Irishmen*, 2.

**Hamilton, Gustavus.** Vid. *Poor-house*, 1. *Rivers*, 36, U.



**Hamilton, Sir Hans.** Vid. *Parish-Churches*, 7.  
**Hamilton, James.** Vid. *Rivers*, 36, L.  
**Hand and Seal.** Vid. *Partition*, 20. *Small Debts*, 2.  
**Hanaper.** Vid. *Fees, First-Fruits*, 3, 4.  
**Hannover.** Vid. *Crown*, 10.  
**Harbourers.** Vid. *Customs*, 125. *Felony*, 18, 41, 44. *Papists*, 12.  
*Tories*, 19. *Vagabonds*, 10.  
**Hares.** Vid. *Game*, 2, 8, 14.  
**Harness.** Vid. *Armour*, 4. *Issues lost*, 1.  
**Havens.** Vid. *Piracy*, 1.

### Hawks.

20 E. 4. c. 1. **M**erchants, exporting Hawks, to pay for a Goff-Hawk, 13 s. 4 d.  
 A Tiercel, 6 s. 8 d. A Faulcon, 10 s. on pain of 40 s.  
**Hap.** Vid. *Butchers*, 3. *Distress*, 20. *Dublin*, 15. *Rent*, 26.  
**Heads of Colleges.** Vid. *Uniformity*, 15.

### Hearth-Money.

14 & 15 Car. 2. Sess. 4. c. 17. **E**VERY Fire-Hearth and Stove, &c. to pay to the King and his Heirs, &c. 2 s. Yearly.

Owners or Occupiers, in 6 Days after Notice, to give the Constable an Account of all the Hearths in the House.

The Justices of Peace to receive a Return from the Constable, and to fine Persons refusing to assist him.

An Account of the Increase and Decrease of Hearths, to be sent to the *Exchequer*; none after 2 Years to be charged with Arrears.

Alms-People and Labourers not chargeable with this Duty; the Occupiers only, and not the Land-lords, are chargeable. Two Justices of Peace to certify Persons not paying 8 s. *per Annum Rent*, and that have not Lands or Goods, Value 4 l. and such to be † discharged of this Duty.

† Vid. *Post*, 14. Justices of Peace, receiving Returns of Hearths, to examine the Parties upon Oath.

17 & 18 Car. 2. Sess. 5. c. 18. Owners omitting Hearths in their Returns, to forfeit 4 s. and the Constable 40 s.

The Treasurer, &c. may give Allowance to the Clerk of the Peace for his Trouble, not exceeding 3 d. *per Pound*.

Lord Lieutenant and Council may appoint Officers for collecting this Duty, and discharge the Former, who may search Dwelling-Houses, in the Day-time, and certify the Number of Hearths to the Clerk of the Peace; a Duplicate to be returned to the *Exchequer*.

The Officer, on giving Notice to the Sheriff of the County of his being appointed, may distrain for this Duty, by the Assistance of the Constable, on Default of Payment, and Constables refusing to assist, to forfeit 40 s. Officers

## Hearth-money.

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- 11 Officers to pay the Money into the *Exchequer* yearly, by the End of *Hilary Term*, or 30 Days after.
- 12 Officers to give Security, and to take an Oath of faithful Execution of his Duty.
- 13 Persons fraudulently stopping, &c. Hearths, to pay double Duty, Disputes to be decided by the Magistrates; Officers of the King to be assisting.
- 14 Certificates of 8 s. per Ann. Rent, to extend to Widows only, no *Ante*, 5. House within the Precincts of a Cathedral, &c. Church, to be discharged; Ovens in Bakers Houses, Kilns, &c. chargeable.
- 15 This Duty is payable on the 10th. of *January* yearly, and the Returns of Hearths to be made before the 10th. of *November* yearly, and Constables to give Notice to make such Returns by the 3d. of *November*, yearly.
- 16 A House shall be charged with 2 Hearths till one is fixed.  
Vid. *Watches*, 6.

Hearths fixed. Vid. *Hearth-money*, 16.

Hearth-burning. Vid. *Game*, 7.

## Hedge-Breakers.

PERSONS unlawfully cutting or taking away Corn growing, 10 *Car. 1. Sess.* robbing Orchards, &c. break Hedges, Pales, Rales, or Fence; 2. c. 23. pull up Fruit Trees to carry them away, Bark Trees growing, spoil Wood, &c. their Receivers, &c. being convict before a Justice of Peace, shall make Satisfaction to the Party or be whipt.

Constables refusing their Duty in whipping such Persons, to be sent to Goal and whipt; no Justice to execute this Act in his own Case.

Persons guilty of the above Offences, or cutting, or spoiling, 2 *An. Sess. 2. c.* &c. Clap-Boards, Barrel-Staves, Shingles, Gads, Withs, Wil- 9. lows, shall pay 20 s. to the Poor, besides Satisfaction to the Party.

Where the Satisfaction exceeds 10 s. the Justice shall bind the Offender to the Sessions, where an Order for Satisfaction may be made, or Punishment.

Persons by Warrant may search suspected Places for the above Things, or for Wooll, or Yarn, coloured with the Bark; and the Party where found, failing to prove that he came honestly by such, shall stand convict on this Act.

The Justices may compel Buyers of Trees, &c. from suspected Persons, to pay treble Value not exceeding 30 s. and if more, to be bound to the Sessions, and there ascertained.

Persons cutting or using Gads, or Withs, to forfeit 2 d. for each, 9 *An. c. 5.* or on Default, to be whipt by the Constable in a Market Town.

Persons to be prosecuted in a Month, or not after; this Act to be read at Affizes and Sessions. Any



**Hamilton, Sir Hans.** Vid. *Parish-Churches*, 7.

**Hamilton, James.** Vid. *Rivers*, 36, L.

**Hand and Seal.** Vid. *Partition*, 20. *Small Debts*, 2.

**Hanaper.** Vid. *Fees, First-Fruits*, 3, 4.

**Hannover.** Vid. *Crown*, 10.

**Harbourers.** Vid. *Customs*, 125. *Felony*, 18, 41, 44. *Papists*, 12. *Tories*, 19. *Vagabonds*, 10.

**Hares.** Vid. *Game*, 2, 8, 14.

**Harness.** Vid. *Armour*, 4. *Issues lost*, 1.

**Havens.** Vid. *Piracy*, 1.

### Hawks.

20 E. 4. c. 1. **M**erchants, exporting Hawks, to pay for a Goss-Hawk, 13 s. 4 d.

A Tiercel, 6 s. 8 d. A Faulcon, 10 s. on pain of 40 s.

**Hap.** Vid. *Butchers*, 3. *Distress*, 20. *Dublin*, 15. *Rent*, 26.

**Heads of Colleges.** Vid. *Uniformity*, 15.

### Hearth-Money.

14 & 15 Car. 2. Sess. 4. c. 17. **E**VERY Fire-Hearth and Stove, &c. to pay to the King and his Heirs, &c. 2 s. Yearly.

Owners or Occupiers, in 6 Days after Notice, to give the Constable an Account of all the Hearths in the House.

The Justices of Peace to receive a Return from the Constable, and to fine Persons refusing to assist him.

An Account of the Increase and Decrease of Hearths, to be sent to the *Exchequer*; none after 2 Years to be charged with Arrears.

Alms-People and Labourers not chargeable with this Duty; the Occupiers only, and not the Land-lords, are chargeable. Two

Justices of Peace to certify Persons not paying 8 s. *per Annum* Rent, and that have not Lands or Goods, Value 4 l. and such to be † discharged of this Duty.

† Vid. *Post*, 14.

17 & 18 Car. 2. Sess. 5. c. 18. Justices of Peace, receiving Returns of Hearths, to examine the Parties upon Oath.

Owners omitting Hearths in their Returns, to forfeit 4 s. and the Constable 40 s.

The Treasurer, &c. may give Allowance to the Clerk of the Peace for his Trouble, not exceeding 3 d. *per* Pound.

Lord Lieutenant and Council may appoint Officers for collecting this Duty, and discharge the Former, who may search Dwelling-Houses, in the Day-time, and certify the Number of Hearths to the Clerk of the Peace; a Duplicate to be returned to the *Exchequer*.

The Officer, on giving Notice to the Sheriff of the County of his being appointed, may distrain for this Duty, by the Assistance of the Constable, on Default of Payment, and Constables refusing to assist, to forfeit 40 s. Officers

- 11 Officers to pay the Money into the *Exchequer* yearly, by the End of *Hilary* Term, or 30 Days after.
- 12 Officers to give Security, and to take an Oath of faithful Execution of his Duty.
- 13 Persons fraudulently stopping, &c. Hearths, to pay double Duty, Disputes to be decided by the Magistrates; Officers of the King to be assisting.
- 14 Certificates of 8 s. per Ann. Rent, to extend to Widows only, no Ante, 5. House within the Precincts of a Cathedral, &c. Church, to be discharged; Ovens in Bakers Houses, Kilns, &c. chargeable.
- 15 This Duty is payable on the 10th. of *January* yearly, and the Returns of Hearths to be made before the 10th. of *November* yearly, and Constables to give Notice to make such Returns by the 3d. of *November*, yearly.
- 16 A House shall be charged with 2 Hearths till one is fixed. Vid. *Watches*, 6.

**Hearths fixed.** Vid. *Hearth-money*, 16.

**Hearth-burning.** Vid. *Game*, 7.

**Hedge-Breakers.**

**P**ERSONS unlawfully cutting or taking away Corn growing, robbing Orchards, &c. break Hedges, Pales, Rales, or Fence; pull up Fruit Trees to carry them away, Bark Trees growing, spoil Wood, &c. their Receivers, &c. being convict before a Justice of Peace, shall make Satisfaction to the Party or be whipt.

Constables refusing their Duty in whipping such Persons, to be sent to Goal and whipt; no Justice to execute this Act in his own Case.

Persons guilty of the above Offences, or cutting, or spoiling, &c. Clap-Boards, Barrel-Staves, Shingles, Gads, Withs, Willows, shall pay 20 s. to the Poor, besides Satisfaction to the Party.

Where the Satisfaction exceeds 10 s. the Justice shall bind the Offender to the Sessions, where an Order for Satisfaction may be made, or Punishment.

Persons by Warrant may search suspected Places for the above Things, or for Wooll, or Yarn, coloured with the Bark; and the Party where found, failing to prove that he came honestly by such, shall stand convict on this Act.

The Justices may compel Buyers of Trees, &c. from suspected Persons, to pay treble Value not exceeding 30 s. and if more, to be bound to the Sessions, and there ascertained.

Persons cutting or using Gads, or Withs, to forfeit 2 d. for each, or on Default, to be whipt by the Constable in a Market Town.

Persons to be prosecuted in a Month, or not after; this Act to be read at Assizes and Sessions. Any



2 Geo. 1 c. 16.

Any Person may seize Gads or Withs to his own use, and the Person in whose Possession they are found, to be whipt by Warrant of a Justice of Peace.

**Hedges.** Vid. *Highways*, 8.

**Heifers.** Vid. *Felony*, 27.

**Heirs.**13 E. 1. c. 3.  
Eng. W. 2.

**W**HERE Lands descend on the Mother's Side, the next Friend on the Father's Side shall have the Ward of the Heir, (etc contra.)

Vid. *Admeasurement of Dower*, 1. *Age*, *Aid*, *Banker*, 4. *Cessavit*,

2. *Court of Wards*, 7. *Dower*, 4. *Judgments*, 5. *Mort Dancester*,

2. *Tail*, 1. *Trusts*, 3. *Waste*, 7.

**Heir at Law.** Vid. *Administration*, 5. *Age*, *Fraudulent Conveyance*, 9, 10. *Papists*, 33.

**Heirs.** Vid. *Women*, 3.

**Hemp and Flax.**11 El. Sess. 3. c.  
3.

**N**ONE to lay any Hemp, or Flax, or Hides with Lime in them in any fresh running Water, on pain of forfeiting the same, or treble Value, the same to be determined in the Sessions. This to be proclaimed by Mayors, &c. once a Quarter in Markets, and at every Assizes and Sessions, not to prejudice Lords of Liberties.

2 An. Sess. 2. c.  
4.

During the Continuance of this Act, no Toll or Portage to be paid for Hemp, or Flax, or at Fairs or Markets, and but half Tythes to be paid for 3 Years.

6 An. c. 9.

Schools to be kept in Places where there is a Work-house for teaching to spin Hemp and Flax, 10 l. to be paid to the Mistress the first Year, whereof 5 l. to be laid out in Wheels: She is to have no Salary but may dispose of all the Flax, &c. spun, she finding the same.

Whoever takes Toll for Flax, &c. shall forfeit 10 l. to be sued by Civil Bill at the Assizes.

8 An. c. 12.

Schools to be Sett for Spinning in Cities, &c. where there are Work-houses, as *Ante*, 3. and Men may keep such Schools.

2 Geo. 1. c. 13.  
Post, 8, 9, 10.

The Importer of sound Hemp or Flax Seed, of the Growth of Russia, Germany, Netherlands or East Country to the 24th. of December, 1737. to receive 5 s. per Hogshead Premium, paying 5 s. Custom.

See the Oath to be administered by the Trustees, to Itinerant Flax and Hemp-Men.

7. Geo. 2. c. 10.

The said Premium in 6. *Ante*, is continued in like manner to the 24th. Decemb. 1744. And the like Premium for Hemp and Flax Seed imported in the above Time in like manner from the English Plantations in America, each Hogshead containing 7 Bushels.

## Hemp and Flax.

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Merchants exporting Hemp or Flax-seed; shall pay 5 s. per Hog-shead Custom, unless Oath be made before the Commissioner, &c. that it is of the Growth of Ireland.

No Premium to be allowed on Importation, unless Oath be made before the Collector of the Country, where the Seed came from, and that it is found, and the Growth of the next preceding Summer. Vid. *Linens-Manufacture*, 76. for determining the Offences and pleading the General Issue.

Vid. *Customs*, 16, 106. *House of Correction*, 9, 10. *Ships*, 12, 27.

**Hempens Manufactures.** Vid. *Felony*, 46.

**Henry, Hugh.** Vid. *Poor-House*, 1.

**Herbs.** Vid. *Lord's-day*, 2. *Wine*, 14.

**Heresp.** Vid. *Heretico comburendo*, 1. *Rome*, 22.

## Heretico Comburendo.

THE Writ of Heretic' Comburend' is by this Act taken away, 7 Gul. 3. Sess. 1. cap. 2. but not to lessen the Power of Bishops, &c. in Cases of A-theism, Heresy, Blasphemy, or Schism.

**Herrings.** Vid. *Fish*, 2, 22, 24.

**Heron.** Vid. *Game*, 19.

## Herriots.

NONE to distrain for Herriots, where none is due by Law, 10 & 11 Car. 1. Sess. 4. cap. 18. on pain of 40 s. and to restore the Distress and treble Damages.

Vid. *Court of Wards*, 4.

**Hiberniae Ecclesia.** Vid. *Supream Head*.

## Hides.

A Place to be prepared in *Dublin* by the Lord Mayor, &c. for selling green Hides and Calf-skins, and none to be sold elsewhere, and to be sold by Weight, on pain of 10 s. on the Buyer and Seller. 8 Geo. 1. c. 7.

A Weigh-master, giving sufficient Security, to be appointed to weigh such Hides, and give four Pound Allowance on each, and to find Weights, Scales and Shed at his own Cost; Disputes to be determined by the Lord Mayor, &c. (See the Weigh-master's Oath.)

Hides in Saking, to be laid Flesh to Flesh, on pain of 10 s. and Weigh-masters to be appointed as above, in all Cities, &c. for weighing salt Hides, and on Misbehaviour, to forfeit 5 l. by Civil Bill.

The Weigh-master, may, at the Buyer's Request, open salt Hides, and make Allowances; buying or selling salt Hides not weighed,



weighed, to forfeit 10 s. for each. Person's selling Hides gashed, &c. to forfeit 10 s. and for a Calf-skin, 2 s. 6 d. Vid. *Beef*, 2. for the *Recovery and Disposition of the Forfeitures on this Act*, and *ibid.* 3 for the *General Issue*, and *Continuance*.

12 Geo. 1. c. 5. No Weigh-master shall treat for, or buy any Hide, till weighed and taken away, on pain of Forfeiture.

No Replevin to lye for Hides or other Distress, seized or taken by this Act, the General Issue pleadable.

This was continued, by 1 Geo. 2. c. 17. to the 25th March, 1730. further continued, by 5 Geo. 2. c. 6. for 7 Years, from the end of that Parliament.

Vid. *Butcher*, 6. *Fees*, 39. *Hemp*, &c. 1. *Merchants*, 10. *Wood*, 3.

**High Constable.** Vid. *Grand-juries*, 14. *Tories*, 10, 16, 24. *Vagabonds*, 4, 5, &c.

**High Treason.** Vid. *Treason*.

**High Road.** Vid. *High-ways*, 38.

### **High-ways.**

11, 12 &  
13 Jac. 1. c. 7.

**T**HE Constables and Church-Wardens, &c. in every Parish, on Tuesday and Wednesday in Easter-week, to appoint six Days for mending the High-ways, and to give Notice of said six Days, the Sunday after Easter, and then to chuse two Surveyors.

Every Person, for every Plow-land, in Tillage or Pasture, within the Parish, or keeping a Draught or Plow therein, to send a Wain or Cart every Day, with two Men, Horses and Tools, &c. on pain of 20 s. for the Cart, and 10 s. for the Men; † Householders, Cottagers and Labourers (Servants excepted), to go or send a Labourer every of the six Days.

† *Post*, 25.

*Post*, 24.

Owners of Carriage, to send two Men in the room of it, if the Surveyors think fit, on pain of 2 s. per Man; all Persons to bring Tools, and to work eight Hours every of the six Days.

Supervisors may carry away Rubbish of Quarries, and cut Under-wood for the Use of the Roads, the Parish paying for such, and may break open Grounds for Gravel, on any Land not being Garden, Meadow, &c. and gather Stones on the Fields, but must not make above one Pit on any one Property, and to fill up the same again, on pain of 5 l. to the Owner.

Supervisors may make Cashes, &c. over any Boggs, &c. and divert any Water into Ditches in any Person's Grounds.

The Owners of Grounds next the High-ways, to keep their Ditches scower'd, low, and cut the Bushes, &c. on pain of 20 l.

A Person keeping a Plow-land, lying in several Parishes, to be charged but where he dwells; but several Plow-lands in several Parishes, to be charged for each of them.

None

- 8 None to cast scowring of Ditches, &c. and suffer it to lie six Months in the Road, on pain of 12*d.* per Load.
- 9 The Supervisors to account yearly at the  $\dagger$  Sessions, and to pay  $\dagger$  *Alter'd, Post* 20. over the Balance to their Successors, on pain of 40*s.*
- 10 The Clerks of the Crown, Peace and Leets, to make and deliver *Post* 38, 39: indented Estreats of the Fines, &c. on said Defaults, to the Surveyors of every Parish, and to have 8*d.* per *l.* for collecting the Money.
- 11 Any two Justices of the Peace, living in the same Barony, may summarily hear and determine all Offences on the above Act, and levy the Penalties by Warrant, to be applied to the Repair of the Roads, and said Justices to account at the Assizes for what they shall receive. *2 An. Sess. 2. c. 6.*
- 12 Parishes neglecting to chuse Overseers, to be prosecuted by Presentment, and the Sessions to chuse them. *Post, 22.*
- 13 The Grand-juries, for three Years after 1710. to ascertain what the Plow-land must be, by Presentment, and being confirmed, the Occupier to be charged accordingly. *9 An. c. 2. Post, 36.*
- The Parishes may divide the Road, and do part, as far as the six Days go in every Year, till the whole is finished, and assess the Parish by their Holdings, and that being signed by the Majority, shall bind; and Persons refusing, to be subject to the Penalties.
- Parishes not having a High-way in their own, shall work in the next Parish the six Days, not going above two Miles from their own Parish. *Post, 30.*
- The Sessions or two Justices may levy 40*s.* upon the Parish, to buy Tools for common Labourers, not having them of their own. *Post, 30.*
- The Time for the six Days Labour, is from *Easter* to the 1<sup>st</sup> of *Aug.* *Post, 26.*
- Persons refusing to scowr Ditches, or clear Water-courses through their own Grounds, except on Toghers through Bogs. May be compelled by Warrant to pay Labourers for the same.
- The Presentment of Grand-juries, shall express the Place where the Repairs are to begin, and to what Place, the number of Perches, the Breadth not to be less than nine Foot, and to express whether it shall be gravelled, paved or raised, &c. and the Price per Perch; the  $\dagger$  Overseers to account at the next Assizes for the Money, upon  $\dagger$  Oath, and to whom paid, on pain of Imprisonment. *Post, 29, 37. Vid Grand-juries, 6. Ante, 9.*
- No Presentment shall be made but at the Assizes, for repairing, &c. the Roads (except at the Sessions for the County and City of *Dublin.* *Geo. 2. c. 13.*
- Overseers to be appointed by the Parishes, on *Tuesday* or *Wednesday* next after *Michaelmas*, and a Vestry to be called for that Purpose, or in Default, the Grand-jury at Sessions or Assizes, may appoint them. *Ante, 12. Post, 23.*
- A Surveyor may be appointed by the Presentment of the Grand-jury, and they may allow him 2*s.* 6*d.* per *Diem*, and the Parishes may appoint Directors, and give him Wages, not exceeding 40*s.* per *Annum.*



*Ante, 2, 3.*

For every Plow-land, &c. and so in Proportion, and for less, not under a fourth Part, to send every Day 1 Cart with 2 Horses and 2 Men, or 4 s. *per Diem*, or 2 Wheel Cars, and 2 Men, or 3 Slide Cars and 2 Men, or 3 Horses with Creels, and 2 Men or 4 s. *per Diem*; Cars to have Baskets for Gravel, and to work 8 Hours.

*Ante, 2.*

Every Herd, Grass-keeper, Shepherd (not being a menial Servant, living in his Master's House) shall perform the 6 Days.

† *Ante, 17.*

The Overseers may appoint the Time and Place where the 6 Days shall be employed, between the † last of *April* and first of *August*, and to give Notice under their Hands to the Constables, of the Time and Place, Constables neglecting to summon, shall forfeit 20 s. the Labourer neglecting to come, 1 s. *per Diem*.

Overseers may compound by the Lump, for the 6 Days Labour.

On Complaint of the Overseers, &c. to be made in 48 Hours, and proved by his Oath; any Justice of Peace may cause the Penalties to be levied on the Offender, or on Default of Distress, to be committed to Goal, &c. and Overseers, &c. neglecting knowingly to complain, to forfeit 20 s.

† *Ante, 20.*

Roads to be paved or gravelled † 12 Foot wide, Grand-juries to present no Road, unless it appear by Oath of 2 Persons, that the same cannot be amended by the 6 Days Labour, before the next Assizes.

*Ante, 15.*

If the 6 Days be not expended on the same Parish, the Grand-jury may present it to be expended on any other Parish, not going 3 Miles from home, publick Tools to be kept in Repair, at the Expence of the Parish.

Overseers to make Affidavit of the Roads, in what manner repaired, &c. the Quantity, where, what expended, and to whom paid, before the Judge of Assizes.

The Clerk of the Crown, on pain of 5 l. to deliver to the Treasurer at every Assizes, an attested Copy of all Presentments for the Roads.

The Treasurer to issue Orders on such Presentment, for collecting the Money, and not to pay the same, till the Work is done, except where it can't all be done before the Assizes.

† *Vid. Prisoners, 10. this explained.*

No Money to be raised at Sessions, (except in the County and City of *Dublin*) only for the Use of the House of Correction, and the † Keepers.

Two Justices of Peace may levy 40 s. for any Road, that by sudden Accidents breaks, where Danger attends.

Where Grand-juries have not ascertained Plow-lands, as *Ante, 13.* they may, in 3 Years after 1728. do it, or the County to be fined,

† *Post, 38.*

† 100 l. every Summer Assizes, till done.

*Ante, 20, 29.*

All High Roads hereafter sett out, to be 30 Foot broad, and all Roads now not 21 Foot broad, may, on Oath thereof, on Presentment, be made 30 Foot, the Party offended, to have Notice, the Inclosures obstructing the same, to be abated by the Sheriff as a Nuisance.

Persons

- 38 Persons changing, &c. a High-road without Authority, to forfeit 5*l.* all Fines, &c. (except the 100*l.* on the County, and that to be estreated into the *Exchequer*) to be paid to the Treasurer, towards Repair of the Roads. *Ante, 101*
- 39 Clerk of the Crown to make Estreats of them, and post them up in the Court-house: This Act, &c. to extend to Cities, &c.
- 40 Inhabitants of the County of *Galway* may apply the 6 Days Labour, and Carts, &c. (where there is no Road) to repairing the Banks of Rivers.
- 41 Mill-stones drawing along the Roads to be kept from the Ground, or pay 5*s.* towards the Road in that County. (*Quer.* Must it pay 5*s.* in every County?)
- 42 This Act is made for repairing the Road from *Dublin* to *Kilcul-* 3 *Geo. 2. c. 18.*  
*len-Bridge*; and to be in Force for  $\dagger$  21 Years, from 10th *May*,  $\dagger$  *Post, 67. for*  
1730. but to expire sooner, on an Adjudication by the Trustees 24 *Years long.*  
therein-mentioned, That the Road is then sufficiently amended, &c.  
and  $\dagger$  5 of the Trustees makes a Board.  $\dagger$  *Post, 69.*
- 43 Gates or Turn-pikes and Toll-houses to be erected where said Trustees think fit, across the said Road, and receive the following Toll:
- 44 For every Coach, Chair, &c. drawn by 6 Horses, or more, 1*s.* *Post, 68. these*  
and if drawn by less, or above 1 Horse, 6*d.* Waggon, Cart, &c. *Tolls altered.*  
with 4 Wheels, 6*d.* having 2 Wheels, and more than 1 Horse, 2*d.*  
Car, &c. with 1 Horse, 1*d.* A Horse, &c. laden or not, and not  
drawing,  $\frac{1}{2}$ *d.* A Score of Oxen, &c. 10*d.* Calves, Hogs, Sheep or  
Lambs, *per Score*, 5*d.*
- 45 Trustees, &c. impowered to levy the Toll by Distress, which may be sold in 5 Days.
- 46 The Charge of the Act, and building the Turn-pikes, &c. to be first paid out of the Profits.
- 47 Persons suffering Travellers to pass through their Land to avoid the Turn-pike, to forfeit 10*s.* before the Trustees, or one Justice of the Peace.
- 48 Turn-pikes, &c. may be built, and Toll taken, on or across any Lane, &c. leading into said Road; but none to be doubly charged thereby.
- 49 Trustees may appoint Receivers and Surveyors, and remove them, &c. as there is Occasion; and to account, on Oath, every first *Tuesday* in the Month, for the Money receiv'd, laid out, &c. and Allowances to be made to them.
- 50 On Default of such just Account, the Justices of Peace, in a Special Sessions, may hear the Matter, and commit the Offender, without Bail, till he makes a perfect Account.



**Highways.**

Surveyors, &c. may dig and carry away any Gravel, Furs, Sand, Stones, &c. out of any Waste, paying nothing, or out of any Person's Grounds, paying for the same; the Price to be ascertained, (if a Dispute arises) by the Justices of Assize or Peace at Assizes or Sessions.

Surveyors, &c. may clear the Roads, remove Annoyances, Water-Courses, &c. lop Bushes, &c. adjacent to the Road, if the Occupiers of the Land neglect it; and they shall pay for so doing, or forfeit 10 s. as *ante*, 47.

Surveyors, by Order of the Trustees, may make Cause-ways, or cut Drains in any Grounds, and widen the Road, and make Trenches, &c. thro' any Grounds, not being a Garden, Orchard, Planted Walk or Avenue, giving reasonable Satisfaction to the Owner, as *ante*, 51.

The Charge of scowering Ditches, &c. on such Grounds, to be levied on the Goods of the Owner, by Warrant from the Trustees.

Trustees may assign the Toll for raising Money, to the Use of the Road, at Interest.

None to pay twice in one Day, passing with the same Horse, &c. thro' any of the Turn-pikes; and none to give their Tickets to others, to avoid Payment, on Pain of 10 s. on both Persons, to be levied, as *ante*, 47.

All Persons to pass Toll-free on the Days of electing Members of Parliament, in the Counties of *Dublin* and *Kildare*.

Trustees may compound with Persons for said Toll, to be paid quarterly.

Persons carrying any Materials for repairing Roads, &c. or Corn in the Straw, Horses going to Water, or Post-Horses, the Horse on which the Waggoner, &c. rides, Soldiers Horses, &c. marching, Vagabonds or Prisoners sent by Passes, to pay no Toll.

Two Days of the Statute-Work to be yearly applied to the said Road, by all Persons chargeable therewith, as the Surveyors shall think fit, on Pain of 1 s. and a List of them to be given in by the respective Surveyors of the Parishes, to the Surveyors of this Road, on Pain of 40 s.

Trustees may chuse another Trustee on Removal, Death, or Refusal to act.

Trustees to meet and adjourn as there shall be Occasion, and to bear their own Charges at meeting.

None who shall accept of any Place of Profit, relating to the Toll, shall be a Trustee.

All Actions for executing this Act shall be brought in *Com' Dublin* or *Kildare*; and the General Issue may be pleaded, and treble Costs given to the Defendant sued for executing this Act; and to be deemed a Publick Act.

This

65 This Act is made for repairing the Road from *Dublin* to *Navan*, 3 Geo. 2. c. 19.  
in like Manner as the above last Act. Post, 77.

66 These several following Statutes are made for repairing the following several Roads, and are much to the same Purpose as *Ante*, from 42 to 64, but they vary in the respective Payments, which all that travel that way know.

The Road from <i>Dublin</i> to <i>Dunleer</i> .	5 Geo. 2. c. 15. Post, 72.
From <i>Dublin</i> to <i>Kinnegad</i> .	cap. 16. Post 75.
From the <i>Black-bull</i> in the County <i>Meath</i> , to <i>Athboy</i> .	—17.
From <i>Killcullen-Bridge</i> to <i>Killkenny</i> .	—18.
From <i>Killkenny</i> to <i>Clonmel</i> .	—19.
From <i>Cork</i> to <i>Killworth</i> .	—20. Post 74.
From <i>Naas</i> to <i>Maryborough</i> .	—21. Post 71.
From <i>Newcastle</i> to <i>Limerick</i> .	—22.

67 The Act in 42 *ante* is by this continued for 24 Years from the Expiration of the Former, and the same Trustees to execute this. 7 Geo. 2. c. 16.

68 The Toll by this Act payable, Coach and 6 Horses 1 s. 6. 4 Horses 1 s. 2 Horses 6 d. Waggon, Cart, &c. with 4 Wheels 5 s. with 2 Wheels and 2 Horses 4 d. with 2 Wheels and three or more Horses 2 s. 6 d. A Chair and one Horse 2 d. A Car and one Horse 1 d.; A Horse laden or not, and not drawing 1 d. A Drove of Oxen 1 s. 8 d. per Score. Calves, Hogs, Sheep or Lambs 10 d. per Score.

69 The Trustees out of the said Tolls to amend the Road from the Bridge to *Killcullen* Town. Nine makes a Board, and they may let the Toll to Farm, not exceeding 3 Years.

70 This Act contains further Instructions to the Trustees how to proceed, and how to pay the 7000 l. borrowed, and the Interest thereof, and that if, at any time before the Expiration of the additional 21 Years, the Justices of the Peace of the Counties of *Dublin* and *Kildare* in Sessions, shall adjudge the Road to be sufficiently repair'd, the Toll shall cease after paying the said Sum, and to be deem'd a publick Act.

71 The said Act in 66 *ante* for repairing the Road from *Naas* to *Maryborough* is continued for 22 Years, from the Expiration of the former, with further Amendments, and to cease and be deem'd a publick Act as *ante* 70. 7 Geo. 2. c. 17.

72 This Act was made with further Amendments for repairing the Road from *Dublin* to *Dunleer* as the last. Vid. *ante* 66. 7 Geo. 2. c. 18.

73 This Act was made for repairing the Road from *Kinnegad* to *Athlone*, and to continue for 31 Years. 7 Geo. 2. c. 19.

74 This is a further Act for repairing the Road from *Cork* to *Killworth*, and to continue for 21 Years from the Expiration of the former Act. This



**Highways.**

Surveyors, &c. may dig and carry away any Gravel, Furs, Sand, Stones, &c. out of any Waste, paying nothing, or out of any Person's Grounds, paying for the same; the Price to be ascertained, (if a Dispute arises) by the Justices of Assize or Peace at Assizes or Sessions.

Surveyors, &c. may clear the Roads, remove Annoyances, Water-Courses, &c. lop Bushes, &c. adjacent to the Road, if the Occupiers of the Land neglect it; and they shall pay for so doing, or forfeit 10 s. as *ante*, 47.

Surveyors, by Order of the Trustees, may make Cause-ways, or cut Drains in any Grounds, and widen the Road, and make Trenches, &c. thro' any Grounds, not being a Garden, Orchard, Planted Walk or Avenue, giving reasonable Satisfaction to the Owner, as *ante*, 51.

The Charge of scowering Ditches, &c. on such Grounds, to be levied on the Goods of the Owner, by Warrant from the Trustees.

Trustees may assign the Toll for raising Money, to the Use of the Road, at Interest.

None to pay twice in one Day, passing with the same Horse, &c. thro' any of the Turn-pikes; and none to give their Tickets to others, to avoid Payment, on Pain of 10 s. on both Persons, to be levied, as *ante*, 47.

All Persons to pass Toll-free on the Days of electing Members of Parliament, in the Counties of *Dublin* and *Kildare*.

Trustees may compound with Persons for said Toll, to be paid quarterly.

Persons carrying any Materials for repairing Roads, &c. or Corn in the Straw, Horses going to Water, or Post-Horses, the Horse on which the Waggoner, &c. rides, Soldiers Horses, &c. marching, Vagabonds or Prisoners sent by Passes, to pay no Toll.

Two Days of the Statute-Work to be yearly applied to the said Road, by all Persons chargeable therewith, as the Surveyors shall think fit, on Pain of 1 s. and a List of them to be given in by the respective Surveyors of the Parishes, to the Surveyors of this Road, on Pain of 40 s.

Trustees may chuse another Trustee on Removal, Death, or Refusal to act.

Trustees to meet and adjourn as there shall be Occasion, and to bear their own Charges at meeting.

None who shall accept of any Place of Profit, relating to the Toll, shall be a Trustee.

All Actions for executing this Act shall be brought in *Com' Dublin* or *Kildare*; and the General Issue may be pleaded, and treble Costs given to the Defendant sued for executing this Act; and to be deemed a Publick Act.

This

65 This Act is made for repairing the Road from *Dublin* to *Navan*, 3 Geo. 2. c. 19.  
in like Manner as the above last Act. Post, 77.

66 These several following Statutes are made for repairing the following several Roads, and are much to the same Purpose as *Ante*, from 42 to 64, but they vary in the respective Payments, which all that travel that way know.

The Road from *Dublin* to *Dunleer*. ——— 5 Geo. 2. c. 15.  
Post, 72.

——— From *Dublin* to *Kinnegad*. ——— cap. 16. Post 73.

——— From the *Black-bull* in the County *Meath*, to *Athboy*. —17.

——— From *Kilcullen-Bridge* to *Kilkenny*. ——— —18.

——— From *Kilkenny* to *Clonmel*. ——— —19.

——— From *Cork* to *Killworth*. ——— —20. Post 74.

——— From *Naas* to *Maryborough*. ——— —21. Post 71.

——— From *Newcastle* to *Limerick*. ——— —22.

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73 This Act was made for repairing the Road from *Kinnegad* to *Athlone*, and to continue for 31 Years. 7 Geo. 2. c. 19.

74 This is a further Act for repairing the Road from *Cork* to *Killworth*, and to continue for 21 Years from the Expiration of the former Act. This 7 Geo. 2. c. 20.



**High-ways.**

- 7 Geo. 2. c. 21. This is a further Act for the Repair of the Road from *Dublin* 75 to *Kinnegad*, and is to continue for 21 Years from the Expiration of the Term in the said former Act; *which see ante 66.*
- 7 Geo. 2. c. 22. This is an Act for the further Repair of the Road from *Dublin* 77 to *Navan*, and from thence to *Nobber*, and from *Navan* to *Kells*. The said first Act is continued for 24 Years longer, *ante, 65.*
- 7 Geo. 2. c. 23. This Act was made for repairing the Road from the † *Bann- 78*  
† *Post, 79.* *Bridge to Belfast*, and to continue for 41 Years.
- 7 Geo. 2. c. 24. This Act was made for repairing the Road from *Dundalk* to 79  
*Bann-Bridge*, and to continue for 41 Years.
- 7 Geo. 2. c. 25. This Act was made for repairing the Road from *Tubber* to the 80  
Town of *Ennis*, and to *Limerick*; and is to continue for 41 Years.  
Vid. *Certiorari, 4. Customs, 9. Distress, 6, 13. Grand Juries, 6. Inclosures, 1.*

**Higlers.** Vid. *Lord's-day, 3.*

**Hill, Arthur.** Vid. *Rivers, 36. U.*

**Hilary Term.** Vid. *Hearth-money, 11. Sheriff, 20.*

**Hire.** Vid. *Coaches, 5, 7, 20.*

**Hoar, Edward.** Vid. *Butter, 18.*

**Hogs.** Vid. *Earnest, 3. High-ways, 44. Swine, 1.*

**Holding over.** Vid. *Tenants, 1.*

**Hollow Blades.**

6. An. c. 34. THIS Act was made for limittin Time for Persons to make  
Eng. Claim to the forfeited Estates in *Ireland*, sold by the Trustees to the Hollow-blade Company and others.

**Holy Days.**

- 7 Gul. 3. Sess. 1. HOLY Days appointed by this Act shall be kept and no others, 1  
c. 14. viz. all Sundays, Circumcision, Epiphany, St. Paul, Purification of the Virgin Mary, and her Annuntiation, Sts. Matthias, Mark, Philip and Jacob, Barnabas, Ascension, Sts. John Baptist, Peter, James, Bartholomew, Matthew, Michael, Luke, Simon and Jude, All Saints, Andrew, Thomas, 4 Days of Christmas, Monday and Tuesday in Easter and Whitsun Week (and those in Tit. Anniversary Thanksgiving.)

Others may be set apart by the King, &c. Servants and Labourers refusing to work on all other Days, to forfeit 2 s. before a Justice of Peace, &c. or on Default to be whipt.

Constables refusing to whip such, to forfeit 20 s. at the Sessions, 3 Prosecution to be in 10 Days. This Act to be given in Charge at Assizes and Sessions.

Vid. *Anniversary.*

**Holy Orders.** Vid. *English Language, 4. Uniformity, 13.*

**Homage.**

## Homage.

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**1** **W**HEN a Free-man doth Homage, he shall hold his Hands between the Hands of his Lord, and say thus; I become your Man from this time forth, for Life, for Member, and for worldly Honour, and owe you Faith for the Lands I hold of you, &c. (but *this is abolished.*) 17 E. 2. Eng. Vid. Court of Wards.

**2** Fealty is an Oath of Fidelity &c. to observe Custom and Services which is taken by Free-men and Villains.

**Honey.** Vid. *Wood* 6.

**Honours.** Vid. *Lands*.

**Honour Feodal.** Vid. *Court of Wards* 6.

**Hoops.** Vid. *Butter* 1, 19. *Customs* 104, 105. *Fish* 24.

## Hops.

**1** **B**RITISH Hops may be exported to Ireland, giving Security, &c. 9 An. c. 12. Sect. 21. Eng.

**2** Importation of foreign Hops to Ireland, except from England, is a Forfeiture of all the Hops, Ship and Tackle; two Thirds to the Poor, one Third to the Informer, and to be adjudged a common Nuisance, to be tried at Dublin, made perpetual by the 1. Geo. 1. Sess. 5. c. 12.

**3** Masters of Ships carrying Hops to Ireland, to take a Duplicate from the Collector &c. in Great-Britain, and deliver the same upon Oath to the proper Officer in Ireland, on pain of forfeiting the Hops, and 10 s per. Pound. 1 Geo. 1. c. 12. Sect. 6. Eng.

**4** No Draw-back shall be allowed on the Exportation of Hops, of British Growth to Ireland. 6 Geo. 1. c. 11. Sect. 40. Eng.

**5** No Hops to be imported from the Plantations into Ireland, notwithstanding the Stat. 4. Geo. 2. c. 15. Eng. Vid. *Ireland* 7. 5 Geo. 2. c. 9. Eng.

## Horses.

**1** None to take the Horse or Beast of another to serve the King, without the Owner's Consent or Warrant, on pain of Imprisonment. 20 R. 2. c. 5. Eng. Vid. Soldiers, 7.

**2** By this Act Cottagers and Labourers were prohibited from buying or having Horses, from the last of October to the first of August, (Millers excepted.) 3 & 4. P. & M. cap. 5.

**3** By this Act, none is to Plow their Horses, &c. by the Tail, nor pluck the Wooll from living Sheep, in the room of Sheering them; said Offences to be heard at Assizes or Sessions. 10. & 11. Car. 1. Sess. 4. c. 15.

Vid. *America*, *Coaches* 3. *Fairs* 5, 6, 7. *Inn-holders* 1. *Militia* 10. *Papists*, 6, 64.

**Horse Coursers.** Vid. *Lord's-day* 3.

**Horse Races.** Vid. *Gaming* 1.

**Horse Stealers.** Vid. *Clergy* 6.

## Hospitals



3 Geo. 2. c. 23.

**D**OCTOR *Stephens* left his Estate to Trustees, that an Hospital for the cure of sick People, should be built after his Sister's Death; *Esther Johnson* left 1000 l. to Trustees to find a Chaplain for the said Hospital. Colonel *Alexander Montgomery* left a Field in *Dolphins-barn*, to the same Use. This Act was therefore made for erecting a Corporation to build said Hospital near *Dublin*, and to be Governors thereof for ever, and is a Publick Act.

Vid. *Barracks* 5. *Bishops* 4. *Citation* 1. *First-fruits* 14. *Greenwich-Hospital*, *Pious Uses* 1. *Religious Houses*, 6. *Templars* 1. *Vagabonds* 18.

**Hospital, Blew-Coat.** Vid. *Blew-Coat*.

**Hospital, Green-Coat.** Vid. *Poor*, 6.

**Hostlers.** Vid. *Inn-holders*, 1. *Victuals*, 2.

**Hot-Dress.** Vid. *Drapery*, 29.

**Hovring on the Coast.** Vid. *Ships*, 29.

**Houghers.** Vid. *Cattle*, 3.

**Hounds.** *Game*, 2. 10.

**House of Correction.**

10. 8. 11. car.

1. Sess. 4. cap. 4.

**A** Convenient House of Correction to be built in every County, with Mills, Cards &c. to work at, on pain of 5 l. Penalty on every Justice of Peace for every Year, till the same is done.

Orders may be made in Session for raising Money for the Support of it, and a Treasurer to be chosen annually to receive the Money, and account for the same Yearly at *Michaelmas* Sessions, and being chosen and refuse to serve, to forfeit 3 l.

Vid. Post 10.

A Governor or Master giving Security to be appointed at Sessions, to set Vagabonds and Rogues to Work and correct them, and to be maintained by their own Labour.

\* Vid. Grand-

Jury 8.

Post 14.

Said Master to have a Yearly † Salary as the Justices shall think fit, to be paid by the Treasurer.

The Master to give an Account at every Sessions of his Prisoners, and not to suffer them to escape on pain of a Fine.

Two or more Justices of the Peace to meet twice a Year, and 5 Days before, to command all the Constables to search for, and bring before them all Rogues, on pain of 40 l. to be punished &c. or sent to the House of Correction. Vid. 33. H. 8. c. 15. Title, *Vagabonds*.

All Begging-Schollars, Fortune-tellers, Fencers, Players, Juglers, Labourers refusing to work, Travelling-Beggars, Prisoners begging their Fees, Egyptians &c. to be deemed Rogues &c. and Labourers leaving their Families or threatening to leave them.

The

## House of Correction.

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- 8 The General Issue or Avowry to be pleaded, or filed by Persons sued for executing this Act, and recover treble Damages and Costs by the same Jury: Justices of Assize may enquire the Defaults of Justices of Peace herein.
  - 9 The House of Correction to be made convenient for dressing 6 *An. c. 9.* Hemp and Flax, and to be called the Work-house.
  - 10 Three Overseers to be chosen by the Grand-jury annually at the Summer Assizes, and they to appoint a † Master skilled in sowing and dressing Hemp and Flax, and to be obliged yearly to sow two Acres with Flax or Hemp-Seed, and to use no other Calling. † *Ante. 3.*
  - 11 Said Overseers to rectify all Disorders, and report to the Grand-jury at Summer Assizes.
  - 12 Houses of Correction to be also prepared in Cities, &c. as above 8 *An. c. 12.* in Counties, and subject to the same Regulation, &c.
  - 13 The Grand-juries at Assizes may, by Presentment, set off any 2 *Geo. 1. c. 13.* Part of any House of Correction for a Work-house, and to be directed by the Trustees of the Linen Manufacture.
  - 14 The Keeper to return a Calendar at Sessions of all his Prisoners, 2 *Geo. 1. c. 17.* by whom committed, when, and for what, on pain of 5 *l.* by Civil Bill. The Justices may continue or discharge them.  
*Vid. Artificers, 2. Distress, 21. Fire, 3. Fire-works, 2. Fish, 18. High-ways, 34. Navigation, 3. Perjury, 5. Porters, 1. Servants, 6, 18, 19. Wood, 4. Wreck, 7.*
- Household Goods.** *Vid. Issues lost, 1.*
- Houses.** *Vid. Customs, 139. Drapery, 28. Dublin, 12, 33, 34. Glebes, 8, 13. Leases, 17. Papist, 36. Spiritual Persons, 18.*
- House of Ease.** *Vid. Dublin, 28.*
- House of Lords.** *Vid. Lords.*
- House-keepers.** *Vid. High-ways, 2.*
- House-robbers.** *Vid. Felony 26.*
- House of Religion.** *Vid. Religious Houses.*
- Houses Waste.** *Vid. Lights, 4, 7.*
- Howth, Lord.** *Vid. Poor-house, 1.*
- Hopes.** *Vid. Drapery, 28.*
- Huckster.** *Vid. Bread, 27.*

## Hue and Cry.

- 1 **H**UE and Cry, and Fresh Suit, shall be made in all Counties, 13 *E. 1. c. 1.* Hundreds, Fairs and Markets, after Murders, Burglaries, *Eng. Winch.* Robberies, &c.
- 2 On Default of fresh Suit in Hue and Cry, the Inhabitants of the 10 & 11 *Car.* Hundred or Barony to answer † Half the Damages, to be sued in 1. *Sess. 4. c. 13.* the Four-Courts, in the Name of the Clerk of the Peace, without † *Vid. Tories, 1.* his Christian Name, his Death, &c. not to abate the Action.

Y

No



**Hue and Cry.**

No Hue and Cry shall be lawful, unless made by Horse and Foot, }  
*(The rest of this Statute, relating to the raising Money on the County, is*  
*alter'd by subsequent Statutes, for which, See Tories, &c.)*

Vid. *Lord's-Day*, 6.

**Hume, Gustavus.** Vid. *Rivers*, 36, U.

**Humiliation.** Vid. *Anniversary Thanksgiving*.

**Hundreds.** Vid. *Distress*, 17. *Hue and Cry*, 1, 2.

**Hundred Weight.** Vid. *Measures*, 7.

**Hunters and Hunting.** Vid. *Game*, 9, 13.

**Hurling.** Vid. *Lord's-Day*, 4.

**Huors.** Vid. *Fish*, 10.

**Husband.** Vid. *Appeal*, 1. *Cui in Vita*, 1.

**Husbandry.** Vid. *Schools*, 1.

**Husbandmen.**

25 H. 6. c. 7. **T**HE Sons of Husbandmen and Labourers, that hold Plows, }  
 &c. shall be, and continue Labourers, on pain of Fine and Im-  
 prisonment.

Vid. *Servants*, 18.

**Jack-Sailor.** Vid. *Bows*, 3.

**Jackson, Adam.** Vid. *Dublin*, 32.

**Identity.** Vid. *Felony*, 13.

**Idiot.** Vid. *Ability*, 11.

**Idle Persons.** Vid. *Vagabonds*, 6.

**Identitate Nominis.**

37 E. 3. c. 2. **W**HERE a Person is outlawed, for want of a good Decla- }  
*Eng.* ration of his Sirname, and his Lands, &c. seized, he may  
 have the Writ of *Identitate Nominis* to discharge them.

9 H. 6. c. 4. And said Writ is maintainable by Executors as well as by the }  
*Eng.* Testator.

Vid. *Appearance*, 1.

**Jeofails.**

33 H. 8. *Seff.* 2. **A**FTER Issue tried in B. R. C. B. or *Exchequer*, Judgment }  
 c. 3. shall be given, notwithstanding any Mispleading, Jeofail, in-  
*Post*, 8, 10, 11. sufficient Pleading, Miscontinuances or Discontinuance, or miscon-  
 veying Process, misjoining Issue, or lack of Warrant of Attorney,  
 and not to be reversed by Error of such Faults.

- 2 Not to extend to Suits between the King and Subjects, nor to Exceptions moved before a Judge, and not allowed. *This Act is made perpetual, by 11 El. c. 5.*
  - 3 After Verdict in any Court of Record, Judgment shall not be stayed or reversed, for Default of Form, touching false *Latin*, or Variance from the Register in any Original or Judicial Writ, or by the Return of a Sheriff, &c. being Insufficient, or Default of Process, or Warrant of Attorney, nor by Reason of any Variance in Form only, between the Original Writ or Bill and the Declaration, or lack of Averment of Lives of Persons, or that the *Venir*, &c. is awarded to a wrong Person, or by the Miscoming of the Visne, or Misnomer of a Juror, or Addition, or for want of a Return on said Writs, so as the Panel be annexed thereto; or for want of the Sheriff's, &c. Name to such Writ, or for Infancy in the Plaintiff. 10 Car. 1. Sess. 2. c. 12. Post, 8, 10, 11.
  - 4 Not to extend to Murder, Felony, penal Statutes, or popular Actions.
  - 5 After Verdict in any Action, Judgment shall not be stayed or reversed for Default of Form, or want of Pledges, or *profert in Curia* of Bonds, &c. Wills, &c. or for omitting *Vi et Armis*, or *contra Pacem*, or mistake the Name of either Party, Sum, Time, or *hoc paratus est*, &c. or *pro ut patet*, &c. 17 & 18 Car. 2. Sess. 5. c. 12. Post, 8, 10, 11.
  - 6 Nor any Judgment by *Cognovit* or Confession, or *Relict' Verific'* for want *Miser'* or *Cap'*, or being misplaced one for the other; or *Ideo concessum* instead of *Ideo confid'*, nor for Encrease of Cost, not at the Party's Request, nor by Consent of Plaintiff; all such Omissions, not against the Right of the Matter in Suits, to be amended.
  - 7 Not to extend to Felony, &c. as *Ante*, 4. *This Act is revived and made perpetual, by 7 Gul. 3. c. 7.*
  - 8 By this Act, the two first preceding Statutes in this Title extend to inferior Courts. (But, *Quer. If the said Act, Ante, 5. extends to them.*) 9 Gul. 3. Sess. 1. c. 38. Post, 11.
  - 9 No Advantage shall be taken for any immaterial Traverse or Default of entering Pledges, &c. as *Ante*, 5. 6 An. c. 10.
  - 10 All the Statutes of Jeofails extend to Judgments by Confession, *nihil dicit*, or *non sum Informatus*, and to Judgments on Writs of Enquiry of Damages executed, provided the Plaintiff's Attorney file his Warrant the Term he declares, and the Defendant the Term he appears.
  - 11 Not to extend to Felony, &c. as *Ante*, 7. but to extend in Case of † Debt or Revenue of the Crown; and all to extend to inferior † Courts.
- Jersep.* Vid. *East-India Goods*, 2. *Sheep*, 4.  
*Jerusalem.* Vid. *St. John of*.  
*Jesuits.* Vid. *Papist*, 10.



**Jetsam.** Vid. *Customs*, 113. *Wreck*, 13.  
**Jewels.** Vid. *Customs*, 17.  
**Manedine.** Vid. *Parish Churches*, 6.  
**Imparlance.** Vid. *Forfeited Estates*, 9.  
**Importation.** Vid. *Brandy*, 1. *Certificate Goods*, 1, 2. *Coin*, 11. *Customs*, 8, 101, 102. *East-India Goods*, 1, 2. *Ireland*, 7. *Isle-man*, 1. *Leather*, 1. *Ships*, 23.  
**Importers.** Vid. *Customs*, 29.  
**Import Account.** Vid. *Customs*, 52, 53.  
**Impost.** Vid. *Customs*, 14.  
**Impotent Persons.** Vid. *Vagabonds*, 2.  
**Imprisonment.** Vid. *Accusation*, 1. *Actions Popular*, 2. *Aquavitae*, 1. *Armour*, 3. *Artificers*, 2. *Cattle*, 2. *Champerty*, 3, 6. *Corn*, 8. *Customs*, 58, 59, 160. *Disceit*, 1. *Egyptians*, 1. *Forest*, 2, 5. *Gaming*, 9, 10. *Ireland*, 11. *Marriages*, 6. *Painsort*, 1. *Papists*, 7. *Recognition*, &c. 3. *Redisseisin*, 1. *Return of Sheriffs*, 4. *Riot*, 5. *Solicitors*, 15. *Tythes*, 7. *Uniformity*, 1, 21. *Usury*, 6. *Witchcraft*, 2. *Women*, 8.  
**Impropriations.** Vid. *Rectories Improprate*.  
**Impropriator.** Vid. *Spiritual Persons*, 29.  
**Improvements.** Vid. *Glebes*, 8, 22, 23, 24. *Schools*, 19. *Spiritual Persons*, 6.

### Inclosures.

36 H. 6. c. 2. **T**ENANTS in Towns and Vills in the High-ways may inclose the same, so that they make not the Way 40 Perches about.  
 Vid. *High-ways*, 37.

**Incorporate Towns.** Vid. *Cloth*, 4.

### Incontinency of Priests.

1 H. 7. c. 4. Eng. **T**HE Ordinary may punish this in Clergymen by Imprisonment according to the Trespas.

**Incumbents.** Vid. *Advowson*, 9. *First-Fruits*, 13, 21, 22. *Glebes*, 8, 10, 11, 13, &c. *Spiritual Persons*, 15. *Uniformity*, 14.

**Incumbrance.** Vid. *Papist*, 34.

### Indemnity.

6 Geo. 1. c. 9. **A**N Act to indemnify Persons not taking the Oaths and qualifying themselves in Offices, &c. pursuant to † 2 An. c. 6. and none hereafter to be prosecuted thereon, unless Prosecution commences in 2 Years from his Admission.  
 † Vid. *Oaths*, 12.

12 Geo. 1. c. 6. This was to the same Purpose, taking the Oaths, &c. before August, 1726.

This

## Indemnity.

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- 3 This was to the same Purpose, taking the Oaths, &c. before the last of *Easter-Term*, 1728. 1. Geo. 2. c. 2.
- 4 This was to the same Purpose, of Qualification, granting time. 3 Geo. 2. c. 5.
- 5 This also was to the same Purpose, taking the Oaths, &c. before the first Day of *August*, 1732. 5 Geo. 2. c. 5.
- 6 This Act to the same Purpose, taking the Oaths before the 1st. of *August*, 1734. 7 Geo. 2. c. 4.

Vid. *Oaths*, 21. *Papists*, 58.

**Indenture.** Vid. *Papists*, 5. *Poor*, 2, 3. *Solicitor*, 12.

**Indian Goods.** Vid. *Customs*, 154.

## Indicavit.

- 1 NO Writ of *Indicavit* to be granted, before the Suit be recorded in the Spiritual Court, and Certificate thereof to the Lord Chancellor. 34 E. 1. c. 8. Eng.

## Indictments.

- 1 SHERIFFS, &c. that take Enquest of Malefactors, to do it by 12 lawful Men who are to put their Seals to the Inquisition. 13 E. 1. c. 13. Eng. W. 2.
- 2 Sheriffs, &c. who take Indictments to do it by Roll indented, one Part whereof to remain with the Indictors, so as one may be shewed to the Justices when they make Deliverance. 1 E. 3. Stat. 2. c. 17. Eng.
- 3 After a Person is indicted for Felony before Justices of Oyer and Terminer, the Sheriff to attach his Body by *Capias*, and on return of a (*non est inventus*) a 2d. *Capias* shall be granted, and the Sheriff to seize his Chattles. 25 E. 3. St. 5. c. 14. Eng.
- 4 No Indictment to be made but by Enquest of lawful Men return'd by the Sheriffs. 11 H. 4. c. 9. Eng.
- 5 Justices of Peace may take Enquests at Discretion, the Enquirers having 40 s. per Annum each, to enquire of Concealments of former Enquests, &c. An Appeal to be preferred to an Indictment, if the Appellant be ready. 3 H. 7. c. 1. Eng.
- 6 The Words, *Insidiatores viarum*, & *Depopulatores agrorum* not to be put in Indictments. 4 H. 4. c. 2. Eng.

Vid. *Accusation*, 3. *Addition*, 4. *Certiorari*, 1, 4. *Clerk of the Crown*, *Conspiracy*, 2, 4. *Error*, 6. *Fees*, 10. *Ireland*, 11. *Justices of Goal-delivery*, 2. *Limitation*, 11. *Sheep*, 6. *Sheriff*, 16. *Spiritual Persons*, 3. *Superfedeas*, 2. *Wooll*, 16.

**Indigo.** Vid. *Ireland*, 7. *Ships*, 18.

**Indorsing.** Vid. *Forgery*, 8.

**Induction.** Vid. *First-fruits*, 9.

## Infants.



8. Geo. 1. c. 6.

**T**HE Court to appoint Guardians to an Infant Heir summoned on a *Scir' Facias*, where he prays that the Parole may demur; and shall plead in 6 Months, and Proceedings shall be had thereon as if of full Age.

Vid. *Age, per tot' Fine*, 1, 6, 7, 8, 18. *Jeofails*, 3. *Leases*, 11. *Limitation*, 4. *Rent*, 17.

## Infection.

12 R. 2. c. 13.  
Eng.

**N**ONE to cast any Garbage, Dung, Entrails, &c. into the Ditches, Rivers, &c. in or near any City, &c. on pain of Punishment by the Lord Chancellor, as a Nuisance.

**Inferior Courts.** Vid. *Demurrer*, 1. *Distress*, 10. *Hab. Corpus*, 2. *Jeofails*, 8, 11. *Law Proceedings*, 5.

**Informers.** Vid. *Actions Popular*, 5. *Ale-house*, 6. *Aquavita*, 1. *Artificers*, 3. *Beef*, 2. *Bricks*, 4. *Coaches*, 4, 7. *Corporation*, 9. *County Court*, 5. *Customs*, 64, 68, 93. *Dublin*, 35, 39. *Extortion*, 3. *Fish*, 19. *Game*, 5. *Lights*, 5. *Linen Manufacture*, 9, 11, 16, 17, 41, 66. *Lord's-day*, 9. *Market*, 2. *Measures*, 16, 20. *Papists*, 16. *Parliament*, 53. *Partition*, 6. *Perjury*, 2. *Religion*, 3. *Sheep*, 4. *Sheriff*, 35. *Vagabonds*, 7. *Usury*, 5. *Watches*, 25. *Wine*, 8. *Wood*, 7. *Wooll*, 15, 34.

**Informations.** Vid. *Actions Popular*, 5. *Butchers*, 7. *Coals*, 9. *Customs*, 137. *Education*, 2. *Examination*, 1. *Execution of Statutes*, 1. *Gaming*, 4. *Intrusion*, 1.

**Ingolsby, Henry.** Vid. *Poor-house*, 1.

**Ingrossers.** Vid. *Forestallers*, 3.

**Inhabitants.** Vid. *Bridges*, 1. *Dublin*, 2, 7. *Galway*, 1. *Hue and Cry*, 2. *Parliament*, 36. *Tories*, 10, 12.

**Inheritance.** Vid. *Ability, per tot' Age, per tot' Dower*, 1. *Rape*, 3.

**Inhibition.** Vid. *Appeal*, 10.

**Inishargy.** Vid. *Parish Churches*, 7.

**Inister.** *Ibid.* 20.

## Inn-holders.

14 and 15.  
Car. 2. Sess. 4.  
cap. 3.

**H**OSTLERS, Inn-holders, &c. to be answerable for Horses, &c. delivered to them, to be kept.

Vid. *Lords-day*, 5.

**Injunction.** Vid. *Process*, 3. *Rents*, 12, 29.

**Inn-keepers.** Vid. *Customs*, 38. *Inn-holders*, 1. *Watches*, 16.

**Inn-mates.** Vid. *Corn*, 7.

**Innp.** Vid. *Rivers*, 28.

**Inquires.** Vid. *Enquiries*.

Inquisition.

## Inn-holders.

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**Inquisition.** Vid. *Barracks*, 3. *Coroners*, 6. *Escheator*, 6. *Glebes*, 3.  
*Indictments*, 1, &c.

**Inns of Court.** Vid. *Barristers*, 1.

## Inrolments.

**1** NO Lands, &c. to pass by Bargain and Sale, unless the same be made by Writing, Indented, Sealed or Inrolled, within 6 Months, in one of the *Four-Courts*, or in the County where the Lands lie, before the *Custos Rotul.* and two Justices of Peace, and the Clerk of the Peace to be of the *Quorum*. 10 Car. 1. 1. Sess. 2. c. 1.

**2** Not to extend to Lands in Corporations.

**3** Fines and Recoveries, and Proceedings on them, may be inrolled, and the Inrolment to be as valid, as the Fine, &c. being Exstant. 10 Car. 1. Sess. 2. c. 10.

By a Clause in this Act, all Persons having Patents, Lands, Titles of Honour, &c. were in 2 Years to inroll the same in *Chancery*, on 2 Years Value; and also that all Patents to be granted, should contain a Clause, that the same should be inrolled in *Chancery*, in a certain Time. 17 & 18 Car. 2. Sess. 5. c. 2.

Vid. *Bankers*, 5. *Exemplification*, 1. *Glebes*, 9. *Papists*, 34. *Recognition*, 16, 17, 18. *Safe Conduct* 3. *Spiritual Persons*, 28. *Tythes*, 16.

**In simul computasset.** Vid. *Civil Bills*, 1.

**Installation.** Vid. *Bishop*, 8.

**Institution.** Vid. *First-fruits*, 9.

**Instruments.** Vid. *Coin*, 14.

**Intails.** Vid. *Fine*, 10.

**Intent.** Vid. *Customs*, 49. *Wooll*, 15, 17, 35.

**Interests.** Vid. *Estates*.

**Interest of Money.** Vid. *Usury*.

**Interlining.** Vid. *Amendment*, 3. *Fine*, 13.

**Intestates.** Vid. *Administrator*, 1, 3, 6. *Ordinary*, 1.

## Intrusion.

**1** WHERE the King, or those under whom he claims, or those claiming under him, has been out of Possession, or not received the Profits in 20 Years before any Information brought, the Defendant may plead the General Issue, and retain the Possession till the Title is tryed; and where such an Information may aptly be brought, no *Scire Facias* shall be brought, whereto the Subject shall be forced to plead specially. 15 Car. 1. c. 1.

**Invasion.** Vid. *Militia*, 2, 3.

**Inven-**



28 H. 8. c. 18.

**EXECUTORS** or Administrators, with two Legatees or two honest Persons, to make a true Inventory in their Presence, of all the Wares, Moveables, Immoveables, &c. and the same to be indented, and delivered to the Ordinary, who is to receive the same, on pain of 10 l.

All Corn and Cattle to be rated, as the Price is in the Diocesis of Meath.

Lands, &c. devised to be sold, or the Money gotten for it, nor the Profits of such Lands, &c. shall not be deemed part of the Goods or Chattles of the deceased.

Vid. *Administrator*, 4, 9.

**Investiture.** Vid. *Bishops*, 7.

**Invoice.** Vid. *Customs*, 78, 81, 112.

**Johnson, George.** Vid. *Poor-House*, 1.

**Joinder in Action.** Vid. *Bankers*, 4. *Fraudulent Conveyance*, 9.

**Joinder in Aid.** Vid. *Jointenants*, 1.

### Jointenants and Tenants in common.

33 H. 8. Sess. 1.  
cap. 10.

**JOYNTENANTS** shall be compellable to make Partition, by Writ of *Partitio Fac'* to be purchased at the Common Law, but may have Aid after to deraign the Warranty *Peramont*, and recover *Pro rata*, and Tenants in common also, either for Life, Years, &c. to make like Partition.

Vid. *Accounts*, 4. *Partition*, 8. *Quare Impedit*, 8.

**Jointress.** Vid. *Gold*, 17.

**Jointure.** Vid. *Dower*, 7. *Papists*, 48. *Uses*, 7. *Women*, 5.

**Jones, Walter.** Vid. *Rivers*, 36. C.

**Journepmen.** Vid. *Artificers*, 12, 13. *Linen Manufacture*, 62.

### Ireland.

17 E. 1. c. 6.  
Eng.

**NO** Pardon of the Death of a Man, or other Felony, shall be granted by the Justices in *Ireland*, but by the King's Command, and under his Seal.

*Ibid.* c. 7.

No Officer to receive any Writs there, but under Seal.

Several other Statutes were made in *England* in this Year for *Ireland*, but are now all obsolete and disused.

Several Statutes made in *England*, 16 & 17 Car. 1. c. 30, & 33, 34, 35, & 37. for a Loan for the King for reducing the Rebels, and Sale of the forfeited Estates, being at this time of no Use, and the Matter being comprized in the Acts of Settlement, are here therefore omitted.

- 5 By this Act 'tis declared, that the Kingdom of *Ireland* is subordinate to *Great-Britain*, and that the King and Parliament of *Great-Britain* may make Laws to bind *Ireland*. 6 Geo. 1. c. 5. Eng.
- 6 The House of Lords of *Ireland* have no Jurisdiction to reverse or affirm Judgments, &c. and all their Proceedings therein void. *Ibid. Sect. 2.*
- 7 All Goods, &c. of the Growth of the Plantations in *America*, except Sugars, Tobacco, Cotton, Wooll, Indigo, Ginger, Speckled-wood, *Jamaica*-wood, Fustick, or other Dying-wood, Rice, Molasses, Beaver Skins, and other Furs, Copper-Ore, Pitch, Tar, Turpentine, Masts, Yards, and Bow-sprights (provided they are in *British* Ships, the Master and 3 Fourths of the Mariners *British*) may be imported into *Ireland* directly. 4 Geo. 2. c. 15. Eng. *Vid. Ships, 23. Vid. Post, 8.*
- 8 No † Sugars, Panels, Syrups, or Molasses, of the Product of the Plantations in *America*, nor any Rum or Spirits of *America*, except of the Growth of the King's Sugar Colonies there, shall be imported into *Ireland*, unless shipped in *Great-Britain*, on Pain of forfeiting the same or the Value, with the Ship and Tackle. 6 Geo. 2. c. 13. Eng. † *Post, 16.*
- 9 Said Ship may be seiz'd by Officers, or by Warrant of a Justice of Peace, who is hereby required to grant such, to be prosecuted at *Westminster* or *Dublin*, to the King and Informer.
- 10 Persons aiding or assisting in landing them, or receiving them knowingly, to be imported contrary to this Act, shall forfeit the Value. *Vid. Customs, 125.*
- 11 Persons molesting Officers in seizing them, to forfeit 50 l. to be recover'd as ante 9. and may be prosecuted for the same upon an Indictment or otherwise, and being found guilty, shall be imprisoned for 3 Months. *Quer. If besides the Fine, Persons sued for executing this Act shall plead the general Issue.*
- 12 Officers conniving, to forfeit 50 l. recoverable, and to be applied as ante 9. and to be disabled from holding any Employment.
- 13 Masters of Ships taking in, or permitting to take in said Goods at Sea or in Port, or other Place, in order to be imported into *Ireland*, shall forfeit 100 l. recoverable and payable as ante 9.
- 14 The *Onus probandi* in Suits on this Act, that said Goods were bona fide laden in *Great-Britain*, or that the Spirits were of the Growth of the said Sugar Colonies, shall lie on the Claimer or Owner.
- Prosecution on this Act to be within 2 Years after the Offence committed.
- Expence of Prosecution to be out of the King's Moiety, and Sugars may be imported from *Spain* and *Portugal* as formerly, this a publick Act, and to be in Force for 5 Years from 24th of June, 1733, and the End of next Sessions.



## Ireland.

Vid. *Ability*, 6, 10. *Abjuration*, 1. *Cattle*, 1. *Certificate Goods*, 1. *Coin*, 11. *Confirmation*, 6. *Crown*, 4, 7. *Debentures*, per tot' *East-India Goods*, 1. *Edystone*, 2. *Forfeited Estates*, 1, &c. *Hops*, per tot' *Isle-man*, 1, 3. *King*, 2. *Leather*, 1. *Linen Manufacture*, 28, 29. *Mediterranean Passes*, 1. *Post-Office*, 2, 5. *Recognizance*, 5. *Rome*, 14. *Scotland*, 1. *Ships*, 5, 7, &c. *Tobacco*, 1, &c. *Vagabonds*, 19, 21.

## Irishmen.

1 H. 6. c. 3: **A**LL Irishmen shall avoid the Kingdom, except Graduates, Beneficed-men, Lawyers, religious Persons, and Merchants, of good Fame, and none to inhabit here without a Testimonial from the Lord Lieutenant, or Justices of Ireland, of his Obedience, and no Irishman to be Governor or Head of any Hall or House.

2 H. 6. c. 8. *Irishmen* living in England, shall give Security for their good Behaviour, a bearing in the Universities, Counties, and Corporations.

Eng. Vid. *Apparel*, 1.

*Irishry*. Vid. *Tenure*, 2. *Traitors*, 2.

*Irish Bishops*. Vid. *Rome*, 15.

*Irish Garments*. Vid. *Apparel*, 2.

*Irish Gentlemen*. Vid. *Vagabonds*, 20.

*Iron*. Vid. *Customs*, 104. *Felony*, 61. *Gold*, 8. *Servants*, 18.

*Iron Pallisades, Gates, Rails*. Vid. *Felony*, 61.

## Isle-man.

12 Geo. I. c. 28. **N**O Wine, Tobacco, Brandy, *East-India Goods*, or other Goods whatsoever, other than of its own Growth or Manufacture, &c. shall be brought from the *Isle-man* to *Great-Britain* or *Ireland*, or within the Limits of any Port therein, and Ships found within the Limits of any Port of *Great-Britain* or *Ireland*, or discovered to have been within the Limits of any such Port, whether Bulk has been broke or not, having any such Goods on board, shall be forfeited with its Tackle, &c.

*Post*, 4. All such Goods are forfeited, and Persons taking such Goods from another Ship from the *Isle-man*, and bringing them as aforesaid, or landing them, to forfeit 100*l*.

*Ibid.* Sect. 23. The *Isle-man* to be added to the Oath upon all Debentures for foreign Goods exported, whereon the Exporter is to swear that such Goods is not landed, nor intended to be landed, in *Great-Britain* or *Ireland*.

For-

- 4 Forfeitures, Penalties, &c. to be recovered by the same Ways, *ibid.* *sect.* 32.  
 &c. as Forfeitures, &c. by any Law in Force in *Ireland*; and the  
 General Issue may be pleaded by Persons executing this Act.  
 Vid. *Customs*, 122. *Draw-back*, 1. *East-India Goods*, 2.  
**Issue.** Vid. *Ability*, 1, 3, 6, 10. *Papists*, 26. *Tail*, 1, 2.  
**Issues joined.** Vid. *Attorneys*, 9. *Hab' corpus*, 2. *Jeofails*, 1.  
*Nisi prius*, 5. *Papists*, 59.

**Issues lost.**

- 1 **R**ents, Corn in the Grange, and all Moveables, except Horse- *13 E. 1. c. 39.*  
 Harness and Household-Stuff, be contained within the Name *Eng.*  
 of Issue. (Vid. *Return of Sheriffs*, 3.)  
 2 Sheriffs shall not be charged with Issues, till delivered out of *27 E. 1. c. 2.*  
 the *Exchequer* by Estreat. *Eng. de finibus.*  
 3 Issues on Jurors returned on Enquest of a Riot, 20 s. the first, *2 H. 5. c. 8.*  
 40 s. the second, 5 l. the third, and double the last, till Appearance. *Eng.*  
 4 Issues on Jurors in Attaint, 40 s. the first, 5 l. the second, and *15 H. 6. c. 5.*  
 double the last, till they appear. *Eng.*  
 Vid. *Estreat*, 6. *Forcible Entry*, 3. *Jurors*, 11, 14. *Return of*  
*Sheriffs*, 2. *Sheriffs*, 1.

**Judges.** Vid. *Amendment*, 3. *Dublin*, 45. *Education*, 10. *Es-*  
*cheators*, 12. *Felony*, 12, 54, 60. *First-Fruits*, 20. *Forfeited E-*  
*states*, 27. *Judgments*, 1. *Oaths*, 3. *Officers*, 7. *Recognizance*, 19.

**Judges of the King's Bench.** Vid. *Nisi prius*, 5, &c.

**Judges of Assize.** Vid. *Justices of*.

**Judges Ecclesiastical.** Vid. *Ecclesiastical Judges*.

**Judges of Cities and Boroughs.** Vid. *Cloth*, 7.

**Judgments.**

- 1 **A** Prelate, 2 Earls and 2 Barons, have Power, by the King's *14 E. 3. c. 5.*  
 Commission, to hear Complaints for Delay of entering Judg- *Eng.*  
 ments; and to call before them the Justices and Records, &c. with  
 the Chancellor, Treasurer, and Justices of one of the Benches, and  
 King's Council: Judges in Court may be increased or diminished.  
 2 Judgments shall continue, and have their Force, till they are at- *2 H. 4. c. 23.*  
 taint of Error. *Eng.*  
 3 New Justices may give Judgment of a Prisoner found guilty of *10 Car. 1. Sess.*  
 Felony, &c. and reprieved; and may award Execution where the *2. c. 14.*  
 same was respited.  
 4 Judges and Officers signing Judgments, to set down the Day of *7 Gul. 3. Sess.*  
 the Month and Year; and such Judgment to be valid, as against *1. c. 12.*  
 Purchasers only, from the Time of signing, and not from the first  
 Day of Term.



**Judgments.**

3 Geo. 2. c. 7.

The Day and Year when Judgments are brought into the Office, to be mark'd on the Docket or Record, and on the Roll, by the Officers; and they shall be Judgments as against Creditors, and shall have Preference against Heirs, &c. from the Time of lodging them in the Office only.

Officers to make out an Alphabetical Docket of all Judgments acknowledged and entered in the Office, and of all Rules for Judgment, before the succeeding Term; and the Term when Judgment on such Rule is entered, with the Parties Names, &c. and the Sum, to be seen by all Persons: The Clerk to have 4d. Fees for each Judgment, more than before.

This Act was but for 2 Years, but is continued for 7 Years, by 7 Geo. 2. cap. 6. from the End of that Parliament.

Vid. Abatement, 4, 5, 6. Amendment, 2. Attorney, 12. Challenge, 5. Costs, 4, 8, 10. Covenant, 1, 2, &c. Customs, 57, 137. Debt, 2. Demurrer, 1. Error, 2. Execution, 4, 5. Exents, 1. Felony, 6, 57. Fraudulent Conveyance, 3. Feofails, 1, 3, &c. Ireland, 6. Limitation, 18. Mortgages, 1. Partition, 1, 2. Premunire, 1. Prisoners, 2. Recognizance, 20. Tythes, 21.

**Judicial Proceedings.**3 E. 3. c. 11.  
Eng.

Justices assigned to try Felonies, shall direct their Writs to all Counties, to take Persons, &c.

6 H. 6. c. 1.  
Eng.

Upon Indictment of any Person, in B. R. for Treason, Felony or Trespass, a *Capias* shall be awarded against him. Vid. *Indictments*, 3.

8 H. 6. c. 10.  
Eng.

By this Stat. another *Capias* is to issue on Indictments, where the Party lives in another County; and the Sheriff is therein to be commanded to take him; and if he cannot find him, to make Proclamation at 2 Counties; and if he come not, an Exigent to be awarded.

2 Geo. 1. c. 8.

All Fines, Recoveries, Records, Pleas, &c. in Civil Actions, in the County Tipperary, to be moved to the Common-Pleas; not to prejudice any Judgment obtained in said Courts: Actions not to abate by such Removal, nor by the Attainder of the late Duke of Ormond.

All Proceedings in the Court of Chancery in Com' Tipperary, *Recog*, *Sequest*, &c. to be removed to the High Court of Chancery, and be of Force there.

Proceedings in the Crown-Side in said Court, after Judgment, to be removed to the Crown-Office in B. R. and those, before Judgment, to the Clerk of the Crown, at the next Assizes: Officers neglecting, to forfeit 300l.

**Judicial Office.** Vid. *Visuals*, 3.

**Jugglers.** Vid. *House of Correction*, 7.

**Jure**

**Jure patronatus.** Vid. *Limitation*, 9.  
**Jurisdictions.** Vid. *Amerciament*, 6. *Appeal*, 7. *Affize*, 13.  
*Customs*, 47, 151. *Distress*, 3. *Fairs*, 4. *Ireland*, 6.  
**Juris utrum.** Vid. *Essoin*, 2. *Spiritual Persons*, 1.

### Jurors.

- 1 NO more than 24 Jurors to be summon'd in one Affize; and 13 E. 1. c. 38.  
 Jurors to have 20 s. *per ann.* and if the Affize be taken out of *Eng. West.* 2.  
 the County, 40 s. *per ann.* and old Men above 70, and diseased Per-  
 sons, not to be put on Juries: Enquest to be taken by a Jury of 12  
 lawful Men.
- 2 By this Stat. none is to be impannelled, unless he has 40 s. *per* 21 E. 1. *Eng.*  
*ann.* Lands, and 5 l. *per ann.* out of his proper County: Not to  
 extend to Juries in Corporations.
- 3 Jurors impannelled to be next † Neighbours, most sufficient and 28 E. 1. c. 9,  
 least suspicious, or the Officer shall forfeit double Damages. *Eng.*  
 † *Vid. Process*,  
 2.
- 4 Jurors accused by either Party of Bribery, to be tried presently 34 E. 3. c. 8.  
 by a Jury then taken. *Eng.*
- 5 If a Juror take any thing of either Party to give his Verdict, he 38 E. 3. c. 12.  
 shall pay ten times so much as taken, or suffer a Year's Imprison- *Eng.*  
 ment. Vid. *Decies tantum*, 1.
- 6 The Sheriff to array the Pannels in Affize 4 Days before the 42 E. 3. c. 11.  
 Sessions of the Justices, that the Parties may have Copies, on Pain *Eng.*  
 of 20 l.
- 7 None to be on an Enquest on the Trial of the Death of a Man, 2 H. 5. St. 2.  
 or in any Plea Real or Personal, where the Debt amounts to 40 *c. 3. Eng.*  
 Marks, who has not Lands of 40 s. *per ann.* beyond Reprizals.  
 (This not to prejudice Trials *de medietate lingue.* Vid. *Aliens*, 4.)
- 8 Jurors at the Sheriff's Turn to have 20 s. *per ann.* Free-hold, 1 R. 3. c. 4.  
 or 26 s. 8 d. *per ann.* Copy-hold; Officers returning others, to for- *Eng.*  
 feit 40 s.
- 9 The Coroner to discharge the Jurors on Enquest before him, if 32 H. 6. c. 2.  
 they affirm they know not the Felon; or they may depart if he  
 refuse to discharge them.
- 10 In this Stat. is the Form of the Writ of *Venir' fac'*; and the 10 Car. 1. *Seff.*  
 Clause of (*Quorum quilibet habeat, &c.*) shall be inserted, where ne- 2. c. 13.  
 cessary that the Juror shall have 40 s. *per ann.* but shall be left out  
 in Cases where the Juror need not dispend 40 s. *per ann.* Free-hold.  
 In the first Case the Sheriff, &c. on Pain of 20 s. to return none  
 but Free-holders; and in the last Case, to have some Lands; and  
 in both Cases, 2 Hundreders to be returned. This relates to the  
*Four-Courts* only.



**Jurors.**

The Sheriff on a *Nisi Prius*, on pain of  $\text{5}l.$  to return Issues up-<sup>11</sup> on the first *Distringas*;  $\text{5} s.$  on the 2d. 10 s. and on the 3d. 13 s. and 4 d. and double that till they appear.

Where a full Jury appear not, before Justice of Assize or *Nisi Prius*, or fall short by Challenges, the Sheriff, &c. at the Request of the Party in all Actions, to return a *Talis*; and the Court may fine Persons present and not appearing, &c.

A Juror may be *Essoined* on reasonable Excuse; if the Justices come not at the Day, so as the *Nisi Prius*, is discontinued; the Jurors are thereby discharged of their Issues.

Sheriffs, &c. returning Issues upon Jurors not summoned, to forfeit double the Issue by Action of Debt; no *Essoin*, &c. allowed, this Act not to extend to Sheriffs of Corporations making Returns.

Vid. Addition, 3. Attaint, 5, 7, 8. Challenge per tot' Decies tantum, 1. Escheators, 2. Felony, 6. Forcible Entry, 3. Issues lost, 3, 4. View, 3.

**Jurp.** Vid. Barracks, 3. Civil Bills 3. Coroners, 7. Dublin, 23. Execution of Statutes, 1. Fraudulent Conveyance, 11. Galway, 1. Glebes, 3, 25. Gold, 14. Jurors, per tot' Officers, 9. Partition, 21. Piracy, 2. Religion, 7. Plevin, 3. Rivers, 3, 11. Tories, 2. Wooll, 34.

**Justice.** Vid. Accusation, 1. Justice of Assize, 1. Justice and Right.

**Justices.** Vid. Affidavit, 1. Amendment, 2. Armour, 3. Attornies, 5. Bail, 9. Error, 2. Estreat, 1. Exception, 1. Exemplification, 1. Felony, 15, 19. Judicial Proceedings, 1. Jurors, 13. Officers, 1. Treason, 1.

**Lords Justices.** Vid. Ireland, 1. Rivers, 36.

**Justices of Assize.**

3 E. 2. c. 5. **C**ERTAIN Justices to be assigned in all the Counties of Ireland to take the Assizes of Mortdancestor, and Novel Disceisin, and return *Estreats* into the *Exchequer* twice a Year.

18 E. 3. St. 4. 6, 1. Eng. Justices to take an Oath to serve the King, warn him of Damage, do Justice to all without respect of Persons, take no Bribes, give no Council where the King is Party, maintain no Suit nor deny Right, tho' commanded by the King, to procure the King's Profit, and be answerable in Body, Lands, and Goods.

6 R. 2. }  
c. 5. } Eng. Justices of Assize, and Goal-delivery, to hold their Sessions in the chief Towns in every County, but the Chancellor may order it otherwise as need shall be.  
11 R.  
2. c. 11.

## Justices of Assize.

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4 None to be Justice of Assize or Goal-delivery in his own County. 8 R. 2. c. 2. Eng.

5 No Lord or other Person shall sit upon the Bench with the Justices of Assize, on pain of Forfeiture. (Vid. *Uniformity*, 5. 20 R. 2. c. 3. Eng.  
where a Bishop may associate.)

6 The Justices, Serjeants, and Attorney-General, to be paid their Wages yearly, at *Easter* and *Michaelmas*, by the Treasurer. 10 H. 6. c. 8. Eng.

Vid. *Abatement*, 3. *Affidavit*, 2. *Bail*, 10. *Bridges*, 2. *Butter*, 12. *Civil Bills*, 1. *Commissioners*, 1. *Cosherers*, 2. *Covenant*, 2. *Discontinuance*, 2. *Fees*, 4. 7. *Fines*, 6. *Forcible Entry*, 8. *House of Correction*, 8. *Nisi Prius*, 3. *Papist*, 60. *Prisoners*, 11. *Records*, 1. *Register*, 11. *Return of Sheriffs*, 5. *Sheriffs*, 15. *Tries*, 8, 12, 17. Not in the printed Book of Statutes.

## Justices of Goal-delivery.

1 JUSTICES of Assize, presently after the Assize is over to deliver the Goals. 27 E. 1. c. 3. Eng.

2 Discreet Persons to be assigned in all Counties, to take Assizes and deliver the Goals; and also, other discreet Persons in every County to keep the Peace, and the Indictments taken before the Keepers of the Peace, to be sent to the Justices of Goal-delivery, who have power to deliver the Goals of such Persons, and to punish Sheriffs and Goalers. 4 E. 3. c. 2. Eng.

3 Records of Justices of Assize, Goal-delivery, and Oyer and Terminer, to be sent into the Exchequer. 9 E. 3. c. 2. Eng.

4 In every Commission of the Peace, 2 Men of Law to be assigned in every County, to deliver Thieves and Felons. 17 R. 2. c. 10. Eng.

Vid. *Abatement*, 3. *Coroners*, 6, 8. *Discontinuance*, 2. *Records*, 1. *Uniformity*, 5.

Justices of Nisi Prius. Vid. *Nisi Prius*, 2, 3, 4.

## Justices of Peace.

1 JUSTICES of Peace were first appointed by this Statute, and to be good and lawful Men, no Maintainers of Evil, &c. 1 E. 3. St. 2. c. 16. Eng.

2 One Lord, † 3 or 4 of the most worthy, and some learned in the Law to be assigned in every County, to keep the Peace and chastise Rioters, &c. and hear and determine Felonies according to Law. 34 E. 3. c. 1. Eng. † Post. 3.

3 In every Commission there shall be but 6 † Justices assigned, and to be allowed 4*s.* per Diem (except Lords and Baronets) and the Clerk of the Peace 2*s.* as long as the Sessions shall last, to be paid by the Sheriffs out of the Fines and Amerciaments. Vid. *Fees*, 24. 12 R. 2. c. 10. Eng. † Ante. 2. Post. 5.

By



By this Statute no Steward of any Lord to be put in the Commission, *but see* 13. R. 2. c. 7. (saying the most sufficient Knights, Esquires and Gentlemen of the Law shall be put in, *non obstante* the above Act) But *Quer. If Stewards that are not such as here mentioned may be put in?*

14. R. 2. c. 11.  
Eng.

† *Ante* 2. 3.

2. H. 5. St. 1. c.  
4. Eng.

By this Act † 18 Justices of the Peace were to be assigned in every County.

2. H. 5. St. 2. c.  
1. Eng.

Justices of the *Quorum* shall be resident in the County (except 6 Lords, Serjeants at Law, &c.) and the Sessions to be kept 4 times in the Year, *viz.* in the first Week after *Michaelmas*, *Epiphany*, *Easter*, and *St. Thomas Becket*, being the 7th of July, and oftner if need require.

18 H. 6. c. 11.  
Eng.

And to be made of the most sufficient Persons in the County, by the advice of the Chancellor.

3. H. 7. c. 1.  
Eng.

Justices of Peace (except in Corporations and Lawyers) to have 8 20 l. *per Ann.* in Lands, and acting without such Qualifications, to forfeit 20 l. to the King and Prosecutor. (*Quer. If necessary to be in the same County.*)

4. H. 7. c. 12.  
Eng.

Justices of Peace to certify Recognizance of the Peace, to the next General Sessions.

11 H. 6. c. 6.  
Eng.

The King commands the Justices to do their Duty diligently, and being guilty of Negligence, to be put out of the Commission; this Statute to be proclaimed at every Sessions.

*Vid. Abatement, 7.  
Sheriff, 27.*

By this Act, no Suit before the Justices shall be discontinued by a New Commission of the Peace.

7 Geo. 2. c. 6.

Their Power determines in 6 Months after the Demise of the King, or by discharge under the great Seal, or by a New Commission, &c.

None who is or shall be converted from the *Popish* Religion, shall be a Justice of Peace, whose Wife is or shall be a *Papist*, or who educates any of his Children, under 16 Years in the *Popish* Religion, after 29th September, 1734. upon pain of one Year's Imprisonment, and 100 l. to the Informer and King; and to be forever incapable of being Executor, Administrator or Guardian.

*Vid. Abatement, 3. Ale-House, 2. Apprentice, 1. Arrows, 1. Artificers, 2, 3, 6, 8. Bail, 5, 7. Beef, 2. Bread, 1, 4, 18, 25, 26. Bricks, 4, 5. Bridges, 2. Buggery, 2. Butter, 6, 9, 10, 11, 12, 14, 16. Captains, 2, 4. Civil Bills, 17. Coaches, 7, 14. Coin, 19. Commission, 1. Constable, 2. Corn, 9, 13. Coroner, 6. Cosherer, 2. Customs, 45, 59, 70. Discontinuance, 2. Drapery, 10, 14. Dublin, 6, 7, 19. Earnest, 2. Education, 2, 10. Escape, 1. Escheators, 10. Estreats, 5. Examination, 1, 2. Fees, 24. Felony, 32, 48. Fine, 6. Fire, 2. Fire-works, 2. Fish, 4, 13, 14, 15, 18, 19, 20, 21, 23. Forcible Entry, 2. &c. Galway, 7, 3. Game, 2, 5, 6, 10, 14. 22. Gaming, 9. Gold, 14. Grand-Juries, 11. Heartb-*

## Justice of Peace.

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*Hearth-Money*, 3, 6, 13. *Hedge-breakers*, 1, 2, 4, 6, 9. *High-ways*, 11, 16, 28, 35, 50. *Holidays*, 2. *House of Correction*, per tot. *Indictments*, 5. *Inrolments*, 1. *Ireland*, 9. *Labourers*, 1. *Lights*, 5, 9. *Linen-man*, 5, 8, 16, 17, 22, 25, 32, 33, 35, 36, 40, 47, 51, 53, 66, 76. *Lord's-day*, 9. *Marriages*, 3, 13. *Masons*, 1. *Measures*, 17. *Navigation*, 1, 3. *Oaths*, 10, 22. *Officers*, 1, 8. *Papists*, 5, 6, 9, 13, 14, 15, 16, 38, 39, 42, 53, 55, 60, 63. *Parish-Churches*, 55, 63. *Partition*, 4, 5. *Peace*, 1. *Pewter*, 2, 4. *Plantation*, 7. *Poor*, 1, 3, 5. *Register*, 11. *Rent*, 5, 25, 26. *Riot*, 2, &c. *Schools*, 1, 11. *Servants*, 3, 4, &c. *Sheriff*, 15, 27. *Small Debts*, 2, &c. *Soldiers*, 4, &c. *Swearing*, 1, 2. *Tiles*, 3. *Tobacco*, 2. *Toll*, 5, 6. *Tories*, 3, 12, 16, 18. *Tythes*, 7, 12, 22, 23. *Vagabonds*, 2, &c. *Victuals*, 4, 5. *Uniformity*, 5, 14, 21. *Watches*, 2, 3, &c. *Wax*, 1. *Wine*, 6. *Wood*, 5, 7, 12. *Wooll*, 6, 42, 44. *Wreck*, 4, 5, 6.

**Justices of Quorum.** Vid. *Ale-House*, 3. *Bail*, 5. *Justice of Peace*, 6. *Papists*, 53. *Schools*, 11. *Vagabonds*, 9.

## Justice and Right.

**A**LL Persons high and low, shall receive Justice in the King's Courts. 52 H. 3. c. 1.  
Eng. Marl.  
Vid. *Accusations*, 1. *King*, 1.

**Ballender.** Vid. *Sheriffs*, 21.

**Beating Maurice.** Vid. *Rivers*, 36. L.

## Keeper of the Great Seal.

**B**Y this Statute 'tis declared, that the common Law always, was 5. El. 1. c. 18.  
Eng.  
that the Keeper of the great Seal of England hath like Authority as the Lord Chancellor.

*Quer.* This being a Declaration of the common Law, and that Law being received in Ireland long before this Statute; Is this therefore the Law of Ireland?

**Keeper of the House of Correction.** Vid. *Governor of*.

**Keepers of Writs and Records.** Vid. *Fees*, 32.

**Keepers of Taverns.** Vid. *Lord's-day*, 5. *Vintners*.

**Keepers of Prisons.** Vid. *Prisoners*.

**Kells.** Vid. *High-ways*, 77.

**Kelly, Edmond.** Vid. *Parish-Churches*, 31.

**Kelly, John.** *ibid.*

**Kellys-Town.** Vid. *Parish-Churches*, 17.

**Kelp.** Vid. *Linen-Manufacture*, 22.

A a

Kerns.



3 E. 2. c. 2.

**N**ONE to keep Kerns in time of Peace at the Cost of their Tenants: If such Kerns take any thing against the Will of the Person, they shall be proceeded against as Robbers.

18 H. 6. c. 3.

None of what Degree soever to lead Kehernaughes, &c. to be quartered upon the Subjects against their Will, on Pain of being adjudged a Traitor.

**Kerry, Carl.** Vid. *Poor-House*, 1. *Rivers*, 36. *M.*

**Kersies.** Vid. *Drapery*, 16. *Wool*, 15, 36.

**Keshes.** Vid. *Cashes*.

**Kilbegnet.** Vid. *Parish-Churches*, 31.

**Kilcomin.** *Ibid.* 25.

**Kilcomon.** *Ibid.* 5.

**Kilcroan.** *Ibid.* 31.

**Kilcullen-Bridge.** Vid. *High-ways*, 42.

**Kildare, Carl.** Vid. *Attainder*, 1. *Customs*, 96. *Poor-House*, 1. *Restoration*, 1. *Rivers*, 36. *L.*

**Kileade.** Vid. *Parish-Churches*, 4.

**Kilkeevin.** *Ibid.* 15.

**Kilkenny.**

4 Geo. I. c. 16.

**J**OHN Birch, Robert Conel, Edward Phillips, Thomas Blount, John Doyl and George Smith, disfranchised and disabled of being of the Corporation of *Kilkenny*.

All Common-Council Men made since 1716, and all bye Laws made in them are removed and made void; said *Robert Conel* to surrender himself and the Town-Books, on pain of a *Præmunire*, &c. *This a publick Act.*

Vid. *Confirmation*, 5. *High-ways*, 66.

**Killalla, Bishop.** Vid. *Rivers*, 36. *C.*

**Killepp.** Vid. *Parish-Churches*, 11.

**Killing Cattle.** Vid. *Butchers*, 2. *Cattle*, 3, 4. *Tories*, 1.

**Killing Apparces, &c.** Vid. *Thieves*, 1. *Tories*, 6, 21, 24.

**Killkavan.** Vid. *Parish-Churches*, 28.

**Killofolan.** *Ibid.* 32.

**Killcome.** *Ibid.* 31.

**Kilmacomoge.** *Ibid.* 1.

**Kilmechne.** *Ibid.* 28.

**Kilmichiloge.** *Ibid.*

**Kilmore.** *Ibid.* 25.

**Kilns.** Vid. *Hearth-Money*, 14.

**Kilpatrick.** Vid. *Parish-Churches*, 34.

**Kilronane.** Vid. *King*, 4.

**Killsaran.** Vid. *Parish-Churches*, 35.

**Kiltullagh.** *Ibid.* 27.

Kil-

**Hilwatermop.** Vid. *Parish-Churches*, 22.

**Hindred.** Vid. *Wills*, 13.

**Hinnegad.** Vid. *High-ways*, 66.

### King.

**1** UPON demand of Lands in the King's Hands, after 4 Writs directed to find the King's Minuments, he that defends the Lands for the King shall be put to answer, and Justice shall not be delayed, tho' the contrary be commanded under the great Seal. 14 E. 3. c. 14. Eng.

**2** The King, &c. to have the Name and Title, &c. of King of Ireland, as united to the Crown of England. 33 H. 8. Sess. 1. c. 1.

**3** 'Tis made High-Treason by this Statute to Impeach the King's Name or Title to the Crown of Ireland.

**4** The King, &c. to have the Parsonage and Churches of *Dungarvan, Renegenagh, Kinsalbeg, Arglafs, Glassmore, Amane, Whitchurch, Templeavin, Abiew, Kilronane, Rossmore, Lysgenane*, as united to the Crown of England. 28 H. 8. c. 23.

Vid. *Abatement*, 2. *Absentees*, 1. *Accusation*, 6. *Advowson*, 6, 7, 8, 9. *Ale-house*, 6. *Appeal*, 8. *Aquavita*, 1. *Armour*, 1. *Affize*, 9. *Barracks*, 4. *Bishop*, 1, &c. *Butcher*, 6. *Challenge*, 1. *Chancery*, 1. *Coin*, 5, 7, 9, 12. *Collector*, 2. *Conspiracy*, 7. *Corporation*, 4, 6. *Costs*, 2. *Crown*, per tot' *Customs*, per tot' *Debt to the King*, per tot' *Discontinuance*, 1. *Distress*, 6, 8, 9. *Dungarvan*, 1. *Escheator*, 6, 7. *Estreat*, 3. *Exchequer*, 2. *Exigent*, 2, 3. *Fairs*, 2. *False Judgment*, 1. *Felony*, 54. *Fine*, 11. *First-Fruits*, 1, &c. *Fish*, 8, 9. *Fools*, 1, 2. *Forfeiture*, 1, 3, &c. *Franchises*, 3. *Gaming*, 1. *Gold*, 8, 17. *Hearth-money*, 1, &c. *Horses*, 1. *Jeofails*, 2. *Intrusion*, 1. *Ireland*, 1, 5. *Justice of Peace*, 8, 10. *Lapse*, 1. *Letters Patents*, per tot' *Limerick*, 3, &c. *Limitation*, 12. *Militia*, 1. *Mortmain*, 2, 3, &c. *News*, 1, 2. *Oath*, 1, 18. *Outlawries*, 12. *Pardon*, 1. *Parish-Churches*, 52. *Parliament*, 10, 40. *Petitions*, 1. *Plantation*, 1. *Pleaders*, 2. *Post-Office*, 4. *Præmunire*, 1. *Prerogative*, 1, 2. *Protection*, 1. *Provisors*, 9. *Purpresture*, 1. *Quarentine*, 1. *Recognizance to the King*, 1. *Recognizance and Statutes*, 13. *Religious Houses*, 1, 7. *Rome*, 2, 10. *Sheriff*, 13. *Supream Head*, 1. *Templars*, 1. *Traverses*, per tot' *Treason*, 1. *Vagabonds*, 7. *Vicarages*, 1, 2. *Uniformity*, 24. *Usury*, 5. *Wears*, 3, &c. *Wine*, 8. *Wool*, 31. *Wreck*, 2.

**King's Council.** Vid. *Customs*, 94. *Nisi-prius*, 8. *Oath*, 1.

**King's Bench.** Vid. *Accusation*, 9. *Appeal*, 8. *Coroners*, 6. *Education*, 4, 7. *Exemplification*, 1. *Exigents*, 3. *Grand-Juries*, 4. *Trial*, 6.



**King's Courts.** Vid. *Four-Courts*.  
**King's County.** Vid. *Counties*, 3.  
**Kingsale.** Vid. *Rivers*, 29. *Wooll*, 22.  
**King, Sir Henry.** Vid. *Poor-House*, 1. *Rivers*, 36. C.  
**Kites.** Vid. *Game*, 19.  
**Kittles.** Vid. *Gaming*, 1.  
**Knapp, Edmund.** Vid. *Butter*, 18.  
**Knights.** Vid. *Abatement*, 2. *Exchequer*, 2. *Justice of Peace*, 4.  
*Parliament*, 2.  
**Knight-Service.** Vid. *Alienation*, 1. *Court of Wards*, 2.  
**Knights Templars.** Vid. *Templars*, 1.  
**Knives.** Vid. *Papists*, 5.  
**Knockamagh.** Vid. *Parish-Churches*, 27.  
**Knough.** *Ibid.* 34.

**Label.** Vid. *Linen Manufacture*, 19.

**Labour.** Vid. *Vagabonds*, 5, 6.

### Labourers.

4 E. 4. c. 1. **J**ustices of Peace to hear and determine Complaints concerning  
 Eng. Non-Payment of Labourers Wages.  
 Vid. *Artificers*, 3. *Ec.* *Forfeited Estates*, 13. *Hearth-money*, 5.  
*High-ways*, 2. *Holy-days*, 2. *Horses*, 2. *House of Correction*, 7.  
*Husbandmen*, 1. *Lord's Day*, 2. *Servants*, 3. *Swearing*, 1.  
**Lagan.** Vid. *Customs*, 113. *Wreck*, 13.  
**Lamb Skins.** Vid. *Sheep*, 8.  
**Lambs Wooll.** Vid. *Drapery*, 5.  
**Lambert, Charles.** Vid. *Poor-House*, 1.  
**Lambs.** Vid. *Butcher*, 5. *Felony*, 26, 27. *Sheep*, 2.  
**Lamps.** Vid. *Light*, 2, 9, 11.  
**Land Carriage.** Vid. *Custom*, 154.  
**Landlord.** Vid. *Distress*, 10, 22.  
**Lands.** Vid. *Absentees*, 1. *Accusation*, 2. *Barracks*, 3. *Butcher*, 3.  
*Champerty*, 1. *Ec.* *Execution*, 1, 3. *Extent*, 1. *High-ways*, 7.  
*Inventory*, 3. *King*, 1. *Wills*, 3, 4, 8.  
**Land waiter.** Vid. *Waiters*.  
**Lanesborough, Lord Viscount.** Vid. *Rivers*, 36, U.  
**Lanthorns.** Vid. *Dublin*, 13. *Lights*, 2, 13.  
**Lapping.** Vid. *Linen Manufactures*, 34, 40, 71.

### Lapse.

25 E. 3. c. 7. **T**HE Ordinary may counter-plead the King's Title to a Bene-  
 Eng. fice, fallen by Lapse.

Vid.

Vid. *Advowson*, per tot. *Prerogative*, 1. *Spiritual Persons*, 30.

*Uniformity*, 19.

**Larceny.** Vid. *Felony*, 11, 34. *Petty Larceny*.

**Laths.** Vid. *Customs*, 104, 105.

**Latin.** Vid. *Pleading*, 1. *Uniformity*, 11, 21.

**Law.** Vid. *Accusation*, 2. *Demurrer*, 1. *Prerogative*, 2.

### Law Proceedings.

1 **A**LL Fines, Judgments, &c. in Courts of Law or Equity, since 13 Car. 2. Sess. October, 1641. shall not be avoided for want of Legal Power, 1. cap. 2. or by Reason of being in the Name of (*Custodes libertatis Angliæ*.)

2 All Obligations and Recognizances, &c. made to Oliver or Richard, Lord Protector, declared void: Proceedings had in said Court in any Part of Ireland, to be delivered into Chancery; and Parties aggrieved may proceed therein, and have Redress there.

3 Non-Claim of Fine in that time, to be no Bar, other than to the Parties thereto, &c. as to Lands sold, as belonging to the King or Bishops, &c.

4 All Attainders and Outlawries, &c. for High Treason against the Usurped Powers, made void.

5 Proceedings in Inferior Courts, holding Plea of 40 s. only, may be in English. 9 Gul. 3. Sess. 1. cap. 38.

**Lawyers.** Vid. *Barristers*, 1, 2. *Justices of Goal-Delivery*, 4. *Justices of Peace*, 2, 8.

**Larweper.** Vid. *Parteen-wear*.

**Lazar's-hill.** Vid. *St. Andrews*, 1.

**Lead.** Vid. *Felony*, 61. *Gold*, 8.

**Leagues and Truce.** Vid. *Breakers of*.

**Leake.** Vid. *Customs*, 79. *Ship*, 23.

**Leap-pear.** Vid. *Bissextile*.

### Leases.

1 **L**Eases made of the King's old Lands, or of the Lands of Religious Houses suppressed, are confirmed. Vid. *Letters Patents*, 7. 28 H. 8. c. 25.

2 Leases under Seal, &c. made by Persons of full Age, seized in Fee-simple or Fee-tail, for Life or Years, in their own Right, or in Right or jointly with their Wives, shall be good against the Lessors, &c. 10 Car. 1. Sess. 3. cap. 6.

3 Not to extend to Leases in Reversion, unless the old Lease be expir'd, &c. within one Year of the making the new Lease; nor to Lands not leased for 20 Years before; nor to Leases above 41 Years or 3 Lives from the making, and the improved Rent paid for 20 Years next before, to be reserved: The Reversioners to have the same Remedy as the Lessors against the Lessees.

The



The Wife to be a Party to any Lease made of her own Lands, by the Husband, and the Rent to be reserved to both, and the Heirs of the Wife.

No other Act of the Husband, of the Wife's Lands, unless she joyn in a Fine, shall be a Discontinuance.

The Wife, &c. shall not avoid a Lease, made of her Lands, by her and the Husband, for 41 Years, or 3 Lives, if the improved Rent be reserved.

10 & 11 Car. 1. Sess. 4. cap. 3. Post, 15. All Leases, Grants, Incumbrances, by any Parson, Vicar, &c. made, or laid on a Benefice with Cure, to be good only during Residence, without Absence, for 80 Days in one Year, and all Obligations to compel him to reside, in order to make good such Incumbrance, &c. to be void.

Vicars, &c. may lease Glebes, of a new Endowment of the King's for 21 Years.

10 & 11 Car. 1. Sess. 4. cap. 3. Bishops, and all other Dignitaries, &c. may make Leases for 21 Years, not in Reversion more than 1 Year of the Church-Lands, the Moiety of the yearly Value, at the Peril of the Lessee, to be reserved; no Power to commit Waste to be inserted.

They may make Leases of Houses in Cities, &c. for 40 Years, the Rent to be reserved to them and their Successors; this Act not to restrain the Archbishop of *Ardmagh*.

10 An. c. 3. The Guardian of an Infant, by Covenant of his Ancestor, bound to renew a Lease for Lives, shall, on Failure of any Life or Lives, by Order of the *Chancery* or *Exchequer*, renew the same, the Lessee performing his Covenant.

In Case of Disability by Coverture, being beyond Sea, or *non compos Mentis*, the Master in *Chancery* shall be appointed to make such Renewal; and said Guardian and Master, to affix the Name of the Person having the Right to such Leases, and the Counter-Part signed by the Lessee, shall bind him, &c.

4 Geo. 1. cap. 14. The Archbishop of *Tuam* and Successors, may inclose 250 Acres of the Demesne Lands, and may demise the Residue, as by Law impowered, on which 3 Fourths of the yearly Value, to be reserved at Peril of the Tenant, or to be void. *This a publick Act.*

6 Geo. 1. cap. 14. No Lease of Tythes belonging to any Deanery (having more than one Parish, and no Vicarage endowed) made by any Dean, &c. shall exceed his Incumbency (not to extend to a Lease made by a Dean, having Cure of Souls.)

*Vid. Ante, 7.* Leases made by Dignitaries or Rector, of Tythes, longer than his Incumbency, void, unless used to be Lett for 30 Years before.

## Leases.

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- 16 Bishops having 300 Acres Demefne, may lease Bogs by Consent, *12 Geo. 1. cap. 10.* for 60 Years, without Fine, reserving a Turbary, but the Renewals to be 21 Years, and 3 Fourths Value to be reserved, or may make separate Leases of such Bogs, distinct from other Lands contiguous to them.
- 17 Rector, &c. in Cities, &c. by the Consent of the Patron and Ordinary, may lease Houses, &c. for 61 Years, without Fine, at improved Rent, not in *futuro*, and being above what is sufficient for his Residence, the Renewals to be for 40 Years. *1 Geo. 2. c. 15.*
- 18 All Leases may be renewed without a Surrender of the Under-leases, and such Renewal shall be effectual to all Parties, as if the Under-leases had been surrendered, and the Under-lessee may enjoy, and is made still liable to the Covenants, &c. deriving out of the old Lease. *5 Geo. 2. c. 4.*

Vid. *Archbishop of Dublin, 3. Assignment, 1. Confirmation, 8. Copy of a Lease. Customs, 71. Estates at Will, 1. Forfeited Estates, 9, 10, 13. Gold, 10, 11, 13, 17. Papists, 25, 29, 57. Register, 9. Rent, 14, 15, 28. Sheriff, 30. Spiritual Persons, 11.*

**Lease Entry and Ouster.** Vid. *Rent, 10.*

## Leather.

- 1 **A**NY Person may export into *Ireland*, &c. all sorts of Leather, 9 *An. c. 6.* Skins, &c. paying 12 *d.* per 100 Weight. Vid. *14. Car. 2. c. Sect. 4. Eng. 7. Eng. contra.*
- Vid. *Taxes, 3.*
- Leasers.** Vid. *Corn, 5, 6, 7.*
- Lecturers.** Vid. *Uniformity, 21.*
- Lee.** Vid. *Rivers, 28.*

## Leet.

- 1 **T**HE Articles to be given in Charge at a *Court-Leet*, are set forth in this Statute at large. *18 E. 2. Eng.*

Vid. *Bread, 12.*

**Left Hand.** Vid. *Sheep, 2.*

**Legacy.** Vid. *Education, 1.*

**Leighlin, &c. Bishop.** Vid. *Poor-House, 1.*

**Lessees and Lessors.** Vid. *Estates at Will and for Lives.*

**Letany.** Vid. *Uniformity, 12.*

**Letters of Mart.** Vid. *Breakers of Leagues, 4.*

**Letters Missive.** Vid. *Seal, 3.*

## Letters Patents.

- 1 **T**HE King's Gift, &c. of Lands (*cum pertinenciis*) conveyeth not Advowsons or Dowers, without exprefs Words. (Vid. *Advowson, 7.*) *17 E. 2. c. 15. Eng.*

The



1 H. 4. c. 6.  
Eng.

The King to advise with his Council touching Grants, &c. to be made of his Estate, &c. and the Value to be expressed in all Petitions for Lands, &c. or the Letters Patents thereupon to be void.

18 H. 6. c. 1.  
Eng.

Letters Patents which bear not Date, the Day of Delivery of the King's Warrants into *Chancery*, to be void.

37 H. 6. c. 1.

33 H. 8. Sess. 2.  
c. 4.

Grantees, Patentees, or their Heirs of any Lands, Honours, Titles, Dignities, &c. heretofore or hereafter of the King's free Gift (confederating) to amount to Treason, or not performing the Covenants in their Patents, to forfeit all Right, Names, Dignities, &c. under such Grants.

The Words following to be inserted in all such Grants, viz. to make no Confederacy with Rebels, nor attempt a War, &c. against the King, nor transgress Allegiance, &c.

10 Car. 1. Sess.  
1. c. 3.

Some Doubts arising about the Validity of Titles to Estates in *Ireland*, granted by Letters Patents: They are all confirm'd by this Act to all Persons and Bodies Politick, &c.

10 Car. 1. Sess.  
2. c. 4.

Grantees, by Letters Patents, of any Lands, Tythes, &c. Reversions, &c. which did belong to religious Houses, &c. or otherwise came to the King's Hands, to have like Remedy against Lessees, as the Lessor might, *et e contra*.

10 Car. 1. Sess.  
3. c. 2.

All Grants, by Letters Patents from the King, shall enure by way of Grant, Confirmation, or other Assurance of all his Right, &c. as in such Patents shall be granted, as shall be most Beneficial for the Grantee.

Patents granted for Remedy of defective Titles, to be as good as if confirmed by Parliament.

15 Car. 1. c. 6.

All Letters Patents passed by Virtue of any Commission of Grace are confirmed against the King.

The King adjudged, seized of an Estate of Inheritance of several Countries and Plantation Lands in *Ireland*, and Patents granted of them confirmed.

Breach of any Condition, &c. in any such Patents to be no Forfeiture; but the King may have his Action of Covenant.

All the Clauses in these Statutes for strengthening of Titles, to be taken most strongly against the King. *A Saving to the Right of Bishops, &c.*

14 & 15 Car. 2.  
Sess. 4. c. 20.  
Vid. Forfeiture,  
6. Judicial  
Proceedings, 4.

The Letters Patents, dated at *Westminster*, 22d of April, 14 Car. 2. granted to the Duke of Ormond of the Regalities of the County *Tipperary*, which were held by *Walter*, Earl of Ormond, Grandfather to the said Duke, and seized from him, by a Judgment in *Quo Warranto*, by Default in the Time of *Jac. 1.* and now regranted to the said Duke of Ormond, are hereby confirmed.

Vid. *Queen*, 1.

Letters Testamentary. Vid. *Wills*, 12.

Levar

**Levar' Far'. Vid. Sheriff, 41.**

**Levitical Degrees. Vid. Marriage, 1.**

**Lenn. Vid. Rivers, 29.**

### **Libel.**

**A** Copy of a Libel grantable in the Ecclesiastical Court, to be granted on the Defendant's Appearance. 2. H. 5. St. 14  
c. 3. Eng.

**Liberty. Vid. Accusation, 2, 3.**

**Liberties. Vid. Franchises.**

### **Library.**

**T**HE Library built by *Narcissus*, Archbishop of *Ardmagh*, is 6 An. c. 19; hereby vested in Trustees hereby incorporated, and to visit the second Tuesday in October yearly, and to make Rules, &c.

**Licences. Vid. Ale-house, per tot. Aliens, 2. Appropriations, 1.**

*Aquavite*, 1. Coaches, 1, 2, 3, 22. Customs, 49, 77, 123. Fees, 14,

25. Fish, 8. Game, 10. Mortmain, 3, 5. Ordnance, 1. Outlawries, 7,

8. Papists, 4. Parliament, 10. Rome, 2. Servants, 7. Solicitors, 17, 18.

*Vagabonds*, 2, &c. Uniformity, 16, 21. Wine, 8. Wool, 7.

**Lieutenancy. Vid. Militia, 1.**

**Liffy. Vid. Anna-Liffy. Rivers, 14, 18.**

**Lighthouses. Vid. Customs, 84.**

**Light-houses. Vid. Barracks, 2, 4. Ediston, 1, 2. Wreck, 10.**

**Lights, False. Vid. Wreck, 10.**

### **Lights.**

**1** **W**illiam Aldrich and Hugh Cumin, for 21 Years, to erect Lights 6 Geo. 1. c. 18; in Dublin, and the Archbishop of Dublin and Earl of Meath, in St. Sepulchre's, Thomas-Court, and Donore; William Mainard, &c. in Cork; Geo. Roch, &c. in Limerick.

**2** Lanthorns to have 4 Glasses, and to be 14½ Inches long, 9 Foot high, 2 Foot and ½ Project, 22 Yards asunder transversely; in narrow Lanes 33 Yards distant.

**3** Said Persons have Power to fix said Lights to any House, &c.

**4** Each House to pay 3 s. per Ann. where the Lamps are but 22 Yards distant, and 2 s. where 33 distant, whilst the Houses are inhabited. Post. 10. 12.

**5** Said Aldrich, &c. and no others have Power to set up said Lights in said Places, and may, after 21 Days, demand, distrain for said Money. Said Aldrich, &c. being negligent shall, on Proof before a Justice of Peace, forfeit to the Poor and Prosecutor 5 s. per Night, for not erecting Lanthorns at said Distance, and 2 s. 6 d. for all other Offences each Night. Post, 13.  
*The General Issue may be pleaded by Persons executing This Act.*

**6** The Matter on all Replevins on said Lights, &c. to be summarily determined before the Lord-Mayor, &c. of said Cities.



**Lights.**

No Inhabitants chargeable unless the Lanthorn, according to the Pattern, be maintained and erected at said Distance, and a double Week, with *Irish* Rape-Oil; no waste House or Owner to pay while waste.

Said *Aldrich* and *Cumin* to give 2000 *l.* and the Rest 500 *l.* Security for their Performance: And said *Aldrich* not to assign without Consent by the common Seal of the City of *Dublin*.

*Post*, 11.

None to break, &c. Lanthorns, Lamps, Glass or Windows, or imbezzle the Oil or Cotton, on pain of 5 *l.* before a Justice of Peace, to the Informer.

8 *Geo. 1. c. 16.*

The Lamps in *Dublin* to be light from 20th of *August*, to the 1st of *May*, half an Hour after Sunset, until the sixth Day of the Moon's Age; on other Nights, an Hour before the Moon is down, till two in the Morning: Four Lanthorns to be on each Bridge till Day-light, whether Moon or not. 6 *d.* per House is by this Act added to the Charge. Said *Aldrich* and *Cumin* to forfeit 2 *s.* 6 *d.* each Offence to the Prosecutor.

*Ante*, 4.

*Ante*, 9.

Persons stealing, breaking, &c. said Lamps, to forfeit 5 *l.* to the Prosecutor, and 5 *l.* to said *Aldrich*, &c. or on Default, to be whipt.

3 *Geo. 2. c. 13.*

Lights to be put up in *Waterford* and *Galway* by two Persons, under their Corporation Seal, appointed in the same Manner, of the same Dimensions, for the same Time, Price, Method of Charging the Inhabitants, Remedy for Payment, Privilege, as *ante*, from 1 to 9.

3 *Geo. 2. c. 22.*

Four Lamps to be on every Bridge in *Dublin*, and Oil of Sunfish may be used in all Places; the above Forfeiture of 2 *s.* 6 *d.* *ante*, 5. is for every Night's Omission, and not for several Omissions in one Night, on Default of Payment.

*Vid. Fish*, 13.

**Time.** *Vid. Bricks*, 5. *Linen Manufacture*, 9, 32, 33.

**Limerick.**

9 *Gul. 3. Seff.*  
1. c. 27.

**T**HE second Article of *Limerick* is hereby confirmed to the following Intent, and no other.

That the Inhabitants of *Limerick*, or any other Garrison in Possession of the *Irish*, at the Date of the Articles, the 3d of *October*, 1691, and all Officers, &c. under the late King *James*, &c. and *Irish* Officers, &c. in the King's Quarters, who since submitted, to hold their Estates, &c. which they had in the Reign of *Car. 2.* or since by Law; and Lands in King *William's* Possession, and restored, confirmed to them, freed from Quit-Rent, &c.

This Act to create no new Right in them; and all said Persons to enjoy all their Goods and Chattles against the King, &c. but not Goods seized before the Articles.

Not

4 Not to extend to restore Persons neglecting to take the Oath of Fidelity, or who were not then in *Ireland* (except those comprized in the 4th Article) provided they returned in 8 Months, and submit to the King, &c.

5 Merchants who were beyond Sea, and not in Arms, to have the Benefit of the 2d Article, if they returned in 8 Months, and submitted, &c.

6 All Persons adjudged to be comprized in the 2d or 3d Articles, are pardoned; all Attainders, &c. and the Adjudication to be made before *September, 1699.*

7 The War is declared to have begun the 10th of *April, 1689*, that being the Time limited for laying down Arms, by the Declaration in *February, 1688.*

8 None comprized in the Articles, to be sued or impleaded for Trespass, or be accountable for Rent received from the said 10th of *April* to the Date of the Articles.

*Vid. Corn, 16. High-ways, 66. Lights, 1, &c. Oaths, 9. Papists, 36, 72.*

**Limitation.**

1 Seisin of one's Ancestors or Predecessors, shall be within 60 Years before the Test of the Writ of Right in Mortdancestor, Cozenage, Ayel, Entry, Sur-disseisin 50 Years, on the Party's own Seisin or Possession 20 Years. *10 Car. 1. 3<sup>ess</sup>.  
2. c. 6.  
Vid. Post, 20.*

2 Seisin of a Man's Ancestor or his own, in Avowry, or Cognizance for Rent, or Services, shall be within 40 Years.

3 Formedons of any Kind, *Scir' Fac'* on Fines, Recoveries, to be brought in 20 Years, otherwise, in all said Cases, 'tis a Bar to the Plaintiff or Avowant, &c. upon Traverse, &c.

4 A Saving for Infants, &c. provided they commenced in 6 Years after the Impediment removed.

5 If the Infant, &c. died within said 6 Years, the next had 6 Years from his Death.

6 On a false Verdict in said Cases, the Party, aggrieved may have Attaint.

7 None to make Entry but within 20 Years from his Title. *A Saving for Infants, &c.*

8 All Actions of the Case, (except Slander) Account, (except Merchants) Trespass, Debt, Detinue, Replevin, *Quar' Clausum fregit*, to be brought within 6 Years: Trespass of Assault, Battery, Wounding, Imprisonment, in 4 Years; for Words, in 2 Years; on Reversal by Error or Outlawry, the Plaintiff has 1 Year after the Reversal to bring his Action.



## Limitation.

A Saving for Infants, &c. not to extend to *Quar. Impedit*, *darrein Presentment*, or *Jure Patronatus*, nor to the Possessions, &c. of the Clergy, or spiritual Livings, nor to Tythes, Pensions, Portions, Obventions, Oblations, or to any annual, casual, or hereditary Profits.

6 An. c. 10.

If the Defendant, in Case of the personal Actions aforesaid, be beyond Sea, the Plaintiff has the same time after his Return to bring his Action.

2 Geo. I. c. 20.

No Indictment, &c. for Words to be prosecuted, unless Information be given on Oath to a Justice of Peace in a Month, or to the Judge of the chief Place in two Months.

Actions, &c. on penal Statutes, where the Forfeiture goes to the King only, to be in 2 Years, and those *qui tam* within one Year, and on default of Prosecution therein for the King, in two Years after, otherwise to be void.

A Saving, where by any penal Statute 'tis directed to be brought sooner.

8 Geo. I. c. 4.

In Actions of Debt, on Specialties, Judgments, Statutes, &c. due 20 Years, no Action commenced in that Time for the same, nor no Interest, &c. paid, the Defendant may plead Payment in Bar.

Mortgagees 20 Years in Possession, may plead it in Bar to any Action by the Person intitled to the Equity of Redemption.

All Persons not already barred, claiming any Estate, &c. or Incumbrance on any Lands, &c. not being in Possession for 20 Years by themselves, or those under whom they claim, and not commencing an Action for the same before the 12th. of September, 1726. are for ever barr'd.

A Saving for Persons who shall commence an Action in 5 Years after the Title accruing, and for all Infants, &c. and the King.

Vid. *Actions Popular*, 2, 3. *Age*, 4. *Appeal*, 9. *Artificers*, 2. *Bread*, 3. *Butcher*, 6. *Butter*, 2. *Citation*, 2. *Coals*, 9. *Coin*, 22. *Customs*, 62, 95, 126. *Error*, 12. *Fine*, 8, 17, 18. *Felony*, 68. *Gaming*, 1, 4, 7. *Hedge-breakers*, 8. *Holydays*, 3. *Indemnity*, 1. *Ireland*, 15. *Linen Manufacture*, 5. *Maintenance*, 4. *Measures*, 20. *Parliament*, 7. *Rome*, 20. *Sheriff*, 45, 49. *Swearing*, 2. *Tythes*, 14. *Uniformity*, 6.

**Lindsay, Robert.** Vid. *Rivers*, 36. *U.*

**King-burning.** Vid. *Furs-burning*.

**Linen-Cloth.** Vid. *Customs*, 106. *Denomination of. Felony*, 46. *Gray-merchants*, 1. *Linen Manufacture*, 3, 7, 71. *Ships*, 27.

**Linen-hall.** Vid. *Linen Manufacture*, 56.

Linen

**N**O Yarn to be sold but in Hanks of Dozens, 12 Cuts separated 2 *Ans. Sess. 2. c.*  
each, and each Cut 20 Threads, and to be flaxen or tow  
Yarn, and not intermixed; each Hank to be a Yard and Quarter  
long.

The Standard Reel to be 2 Yards and half Circumference, Yarn *Post. 36.*  
otherwise made up to be forfeited.

No Cloth to be sold or exported that is not half an English-Ell  
Broad, and 20 Yards long, (*Kenning, Cambrick, Bapst or Lawn ex-*  
*cepted.*)

Diaper Yard Wide, to be 26 Yards long; Yard and half broad, *Vid. Post, 58.*  
to be 12 long; Bed-tick 20 Inches wide, to be 15 Yards long;  
6 Quarters wide, 6 Yards long; Canvas or Sail-cloth, to be 36  
Yards long, on pain of Forfeiture of all said Cloths.

Justices of Peace, &c. have Power to hear and determine said For- *Post, 17.*  
feitures and Offences, by summoning the Parties, &c. The general *Post, 76.*  
Issue may be pleaded by Persons sued for executing this Act; Pro-  
secution on Offences to be in 30 Days.

Protestant Weavers, having served 5 Years Apprenticeship, and 2 Years *Vid. post, 61.*  
Journey-work, and keeping one, &c. Loom employed, are Free  
from Parish Duties of Constables, &c. for 7 Years, and  
Free of the Corporation during Residence, and are exempt from  
Juries; the like Privilege to all foreign Protestant Masters.

No Toll, or Portage, or Passage to be paid for Linen Cloth or *Post, 12.*  
Yarn, (*Vid. Hemp, 2.*)

Dealers may weave their Names in the Piece, or fix a Mark;  
and to counterfeit it is 10 *l.* Forfeiture before a Justice of Peace, to the *Post, 60.*  
Informer and Poor.

No Lime to be used in whitening Cloth or Yarn, on pain of *Post, 32.*  
5 *l.* Fine Cloth to be measured by the Ell, 45 Inches, and others  
by the Yard, 36 Inches.

On Entries made on Exportation, for less than 58 Pieces, to *6 An. c. 9.*  
pay 1 *d.* per Piece Fees, and 4 *s.* 10 *d.* for Entries above that, and *Vid. Custom.*  
6 *d.* for a Certificate; Officers demanding more to be cashiered and *106.*  
disabled.

Any Person may seize and carry before a Magistrate, any Yarn  
or Cloth not made up as aforesaid, and if he certify the same to  
be faulty; the Cloth, &c. is vested in the Informer (*et e converso*) to  
pay treble Damages to the Owner.

Taking Toll or Custom, for Yarn or Cloth of Hemp or Flax, is  
a Forfeiture of 10 *l.* by civil Bill. *Anti. 7.*

By this Act, Actions or Indictments for the Offences, &c. afore- *8 An. c. 12.*  
said, are to be tried in the proper Counties.

The chief Governor may appoint Trustees, an equal Number out *9 An. c. 3.*  
of each Province, and may meet as often as they think fit, to adjust  
Matters for establishing this Manufacture. Trustees



*Post*, 24, 54. Trustees may appoint a Clerk, Door-keeper, &c. and the Salaries not exceeding in the whole 100 *l.* per *Ann.* 7 Trustees make a Board.

*Post*, 46. Weavers on Pain of 5 *s.* to run a coarse black Thread thro' every 200 Threads of the Warp, to distinguish the Breadth; falsifying this, to forfeit 20 *s.* to the Informer before a Justice of Peace.

*Ante*, 5. Justices of Peace neglecting this, or the 2 *An. ante*, from 1 to 9. 17  
*Post*, 68. the Party may appeal to the next Assizes, and the Justice of Peace to be fined 5 *l.* to go to the Informer.

Pieces 24 Yards long, and one and Quarter broad, to be call'd *Ulsters*; 24 long, and one and half Quarter broad, *Lurgans*; 20 long, 1 broad, *Lisburns*; 20 long, 1 3 Quarters and half broad, *Colerains*; 20 by 3 Quarters and Nail, *Antrims*; 20 by 3 Quarters, *Dungannons*; 30 by half Yard and half Quarter wide, *Munsters*.

A Label to be fixed to every Piece, signifying the Denomination on aforesaid.

11 *An. Sess.* 1. Canvass of the Growth and Manufacture of *Ireland*, not lyable to  
c. 16. *Eng.* the further Duty of 1 *d.* per Ell, imposed on Sail-cloth imported into *Great-Britain*.

2 *Geo.* 1. c. 13. Till the 24th December, 1737, a Premium of 2 *d.* per Yard of  
*Post*, 74. Sail-cloth of *Irish* Hemp of 10 *d.* per Yard Value, is allowed to the Exporter, and 4 *d.* for Main-sail of 14 *d.* Value per Yard; the Collector, &c. to chuse Persons to value such Sail-cloth. This is continued by 10 *Geo.* 1. c. 2. to the Time here mentioned, and 1 *d.* for the Ten-penny, and 2 *d.* for the Fourteen-penny Canvass per Yard is allowed for 11 Years after by the same Statute, which will end in 1745.

*Post*, 54. Persons mixing Stones or Sand with Kelp, shall forfeit 5 *s.* before a Justice of Peace.

Flaxen Yarn not reeled exported, to pay one Half-penny per Pound Custom.

*Ante*, 15. When a Trustee dies, the Chief Governor to appoint a Successor  
*Post*, 55. out of the same Province: They may augment the Salary of their Clerk, &c. to 50 *l.* per *Annum* more.

Weavers neglecting to weave according to Agreement, or Imbezzling, &c. to forfeit under 20 *s.* before a Justice of Peace.

No old Hemp or Hempen-Yarn shall be mixed with new in making Ropes, or Cordage, on pain of forfeiting under 20 *s.*

*Vid. Post*, 69. During the Continuance of the 2 next subsequent Statutes, the Duty of 6 *d.* per Yard imposed upon all Linen imported, is taken off of *Scots-Linen*.

3 *An. c. 8. Eng.* This Act permits the Exportation of *Irish* Linen-Cloth to the Plantations, and prohibits the Importation of *Scots-Linen* into *Ireland*. (*Vid.* 27 *ante*, *That Act was made subsequent to this.*)

The

- 29 The above Act of the 3<sup>d</sup> An. 7. 8. so far as it relates to the Ex-<sup>3 Geo. 1. c. 1.</sup> portation of *Irish* Linen to the Plantations, shall continue in force <sup>Eng.</sup> so long as *British* Linen may be imported to *Ireland* free of all <sup>Post, 69.</sup> Duties.
- 30 Linens made in *Ireland*, and imported from thence into *Eng-* land, may be exported to the Plantations Duty free.
- 31 All Merchants, &c. of *Great-Britain* may import Linen Cloth <sup>4 Geo. 1. c. 6.</sup> Duty free, as long as the *Irish* may export Duty free to the Plan- tations.
- 32 Justice of Peace, &c. may summon Persons, and examine them upon Oath, relating to the using Lime in bleaching Cloth or Yarn, and such Cloth or the Value is forfeited.
- 33 Any itinerant Man appointed by the Trustees or Justice of Peace, may in the Day-time enter into any Bleach-yard, &c. to search for Lime, the Constable levying the Penalties, to be allowed 2 s. per Pound, and refusing his Duty, to forfeit 5 l.
- 34 Cloth not to be lapped while wet, nor with Chalk-dust or Flower, on pain of Forfeiture; no Flax to be steeped in Bogs where Oak or Firr lie, nor in Water of 2 Years standing.
- 35 Cloth and Yarn to be sold publickly, and in due Hours at Fairs <sup>6 Geo. 1. c. 7.</sup> or Markets, and not in Houses or unlawful Assemblies, on pain of Forfeiture before a Justice of Peace.
- 36 Justice of Peace and Trustees, or Persons authorized by them, may (the Door being open) enter into any House, and destroy any <sup>Ante, 2.</sup> Reel other than 2 Yards and half in Circumference.
- 37 A Clause ascertaining the Length and Breadth of Tapes, Inkles, Ferrettings, &c. and the Kinds of Thread to be made, on pain of Forfeiture.
- 38 None to use Sopers Dregs or Dung in bleaching, on Pain of Forfeiture of the Cloth.
- 39 No Draw-back allowed on Exporting Callicoe, Holland, fo- reign Sail-cloth, or Linen.
- 40 The Trustees to appoint a Measurer and Lapper, who shall mark the Pieces with the Number of Yards, and stamp both Ends with the Lapper's Name and County; falsifying the same, to forfeit 20 s. before a Justice of Peace.
- 41 Persons selling Cloth not marked, &c. to forfeit 12 d. per Piece afore said; counterfeiting the Stamp is Pillory, and 50 l. to the Pro- secutor.
- 42 New Sail-cloth liable to Duty as if it was in Pieces.
- 43 Flaxen or Hempen Cloth made of high white Yarn, to be lap- <sup>10 Geo. 1. c. 2.</sup> ped, marked, &c. as ante 40.
- 44 Persons selling green Cloth unbleached at Fairs, &c. to forfeit 1 s. per Piece.

Bleachers



**Linen-Manufacture.**

Bleachers refusing to bleach, or damaging Cloths, &c. to forfeit from 2 s. 6 d. to 5 l.

*Ante, 16.*

Weavers need not to regard the Colour of the coarse Thread run along the End of the Piece, as *Ante. 16.*

Magistrates condemning unstatutable Cloth, to sever it in 3 equal Pieces.

Persons not serving 4 Years Prenticeship, setting up a Loom, to forfeit 5 l.

No Looms, Wheels, Reels, &c. given by the Trustees, shall be distrained or taken in Execution.

Persons may use Scales and Weights, but not Ouncels, to distinguish the sort of Yarn reeled, &c.

Persons receiving unstatutable Cloth seized, and indicted thereof, to be fined and pay the value of the Cloth also, by Warrant of the Justice or be whipt, &c.

*Post, 57.*

Trustees or any 5 of them may administer an Oath and fine their Officers, not exceeding 40 s. to the Party aggrieved by their Warrant.

*Post, 67.*

Any Justice of Peace may determine any Offence on this Act.

The Premium (*in 21. Ante.*) is allowed for Sail-Cloth cut as well as in the Piece, made for the use of Ships, tho' not exported.

No She-Hemp shall be mixed with Female, on pain of 5 l. per hundred Weight, and so in proportion; and the like Penalty for steeping it in Bogs; the Trustees may encrease the Clerk's Salary to 100 l. per Ann. Officiating without a Deputy.

*1 Geo. 2. c. 11.*

The Trustees or 7 of them may make Rules (but first to be approved by the Lord Chancellor, &c.) for Governing the *Linen-Hall* in *Dublin*, and allow their Officers their appointed Salaries, not exceeding 120 l. per Ann. in the whole.

*Ante, 52.*

Trustees or 5 of them may determine Complaints against their Officers, and fine them; not exceeding 20 l.

A Clause for ascertaining the Breadth of every Piece of Cloth, and the Lapper to mark the first Breadth thereof on both Ends of the same.

None to begin to lay Cloth to bleach from the 15<sup>th</sup> of August to the first of February; and no Cloth to be found, lying Bleaching from the 2<sup>d</sup>. November to the 1<sup>st</sup> February, on pain of 6 d. per Yard in both Cases, saving Pieces damaged in Carriage.

*Ante, 8.*

Weaver to stamp his Name in Lamb-black, &c. on every Piece, on pain of 5 s. and the Seller without such Stamps, to forfeit 1 s.

*Ante, 6.*

Masters to keep 4 Reeds, on pain of 5 s. and on default, shall not be exempt from Parish Duties, as *Ante.*

## Linen-Manufacture.

201

- 62 No Master to hire a Journeyman without a discharge from his former Master, or some Justice of Peace, on pain of 5 l.
- 63 Masters not to use their Apprentices in Husbandry (except 24 Days yearly in Harvest,) on pain of 10 s. &c. Complaint to be made in a Month.
- 64 Linen Yarn found in the Possession of Spinners, &c. Pedlers, or Gray Merchants, not Reeled, or in the Possession of Persons in trust for them, liable to Forfeiture.
- 65 Persons empowered by 5 Trustees may in the day time enter any place where Yarn is sold by Gray Merchants, and examine the same; refusing them Entrance, to forfeit 10 l.
- 66 Forfeitures, &c. on this Act (except the Fines by the Trustees) to be determined by the Justice of Peace, and given to the Informer. The like Premium is for Sail-Cloth, for Sloops, as *Ante* in 54.
- 67 for Ships.
- 68 Justices of Peace refusing or neglecting the Duty herein, being prosecuted by Approbation of 5 Trustees or more, may be fined 100 l. *Ante*, 17.  
18 d. per Yard for Callicoes and Muslins, and 6 d. for all other Linens imported (except of Great-Britain) to be paid as Duty to the 25th December, 1735. to be applied to the Use of this Manu- *Post*, 73.  
69 facture, as the Trustees shall think fit.
- 70 Foreign rough Flax undressed, may be imported Duty Free into *4 Geo. 2. c. 27. Eng.*
- 71 From the first of November, 1734. every Lapper without Fee shall at each End mark every Piece of Cloth, with the Number of the Inches it contains in Breadth, and marking over the due, to forfeit 20 s. for each Piece, and the Seller to forfeit 3 s. both go to the Informer. *7 Geo. 2. c. 10.*
- 72 The Trustees, or any five of them, may license fit Persons to view and measure green or unbleached Cloth, and to mark and stamp the same in like manner, as by the Statute *Ante*, 15. is directed; and to take 1 d. per Piece, containing 20 Yards, and so in proportion; Persons counterfeiting said stamps, to be subject to the said Penalties in said former Act.
- 73 The several Duties on Callicoes, Muslins and Linens, *Ante*, 69. are continued to the 25th December, 1744. and to be applied to the same Uses.
- 74 The Premium of 2 d. and 4 d. for Sail-Cloth, *Ante*, in 21 which is only to December, 1737. is continued to the 25th December, 1744. and the End of next Sessions. *Post*, 75.
- 75 Persons making Sail-Cloth of Irish Hemp into Main-Sails or Top-Sails, upon Oath of the Owner, and Sail-maker shall have the like Premium as the Exporter, *Ante*, in 74 and 21.
- 76 All Offences on this Act, except counterfeiting the Stamp on Cloth, to be determined by one or more Justices of the Peace; and



## Linen Manufacture.

and Persons sued or indicted for executing this Act, or seizing Cloth or Yarn in Pursuance of former Acts, may plead the General Issue, and have treble Costs.

Vid. *Papists*, 65. *Ships*, 27. *Wood*, 7.

**Lisburn.** Vid. *Corn*, 16.

**Lismore-weyre.** Vid. *Rivers*, 32.

**Little-green.** Vid. *Dublin*, 19.

**Liverpoole.** Vid. *Wooll*, 22.

**Living.** Vid. *Spiritual Livings*. *Adworsen*, 10. *First-fruits*, 7, 8, 13.

**Liverp.** Vid. *Court of Wards*, 1. *Prisage and Livery*, 1. *Retainers*, 1.

**Local Actions.** Vid. *Actions Popular*, 4, 5.

**Locks for Arms.** Vid. *Papists*, 5.

**Lodgings.** Vid. *Felony*, 11.

**London.** Vid. *Pewter*, 2.

**Londonderry.** Vid. *Corn*, 16. *Rivers*, 20.

**Looms.** Vid. *Customs*, 107. *Linen Manufacture*, 48.

**Lords.** Vid. *Aquavite*, 1. *Ireland*, 6. *Justice of Assize*, 5. *Justice of Peace*, 2. *Oaths*, 7. *Prisage*, 1. *Recognizance*, 11. *Retainers*, 1. *Uniformity*, 6.

**Lord Lieutenant.** Vid. *Customs*, 46, 94. *Election of*, 1, 2. *Exchequer*, 19. *Fish*, 3. *Gray Merchants*, 2. *Hearth-money*, 9. *Ministers*, 1, 3. *Officers*, 6. *Parliament*, 19. *Poor-House*, 1. *Rivers*, 136. *Watches*, 10. *Wooll*, 31.

**Lord of a Manor.** Vid. *Game*, 15, 18. *Soldiers*, 11.

**Lords of Parliament.** Vid. *Cloth*, 11. *Conspiracy*, 7. *Corporation*, 6. *County Courts*, 2. *Parliament*, 8.

**Lords Spiritual.** Vid. *Bishops*.

**Lords of Franchises.** Vid. *Protection*, 1.

## Lord's Day.

2 *El. c. 1.*

Persons to repair to Church on *Sundays* and *Holy-days*, and be- have well there, on Pain of 12 *d.* each Offence; to be levied by Distress, by the Church-wardens, to the Use of the Parish.

7 *Gul. 3. Sess.*

1. *cap. 17.*

None to exercise any Labour or Calling on the *Lord's Day*; and 2 Persons above 14 Years offending, to forfeit 5 *s.* &c. And none to cry or expose to Sale any Goods, Fruit, Herbs, &c. on Pain of forfeiting them.

No Drover, Butcher, Horse-courser, &c. to travel or come to 3 any Inn on *Sundays*, on Pain of 20 *s.* to be levied by Warrant of a Justice of Peace, &c. to the Poor.

None to exercise Hurling, Foot-ball, Cudgels, &c. or other 4 Games, on Pain of 12 *d.* All Forfeitures to be determined by a Justice of Peace, for the Poor, and a third to the Informer.

Not

- 5 Not to prohibit Inns or Cook-shops, &c. before 10 in the Forenoon, or after 4 in the Afternoon, nor Hackney-coaches in *Dublin*.
- 6 The Hundred not chargeable with a Robbery committed on *Sunday*; but they may make Hue and Cry.
- 7 Process, &c. (except in Treason, Felony or Breach of the Peace) served, &c. on *Sunday*, to be void; and the Party to answer Damages.
- 8 No Persons to be entertained in any Tavern, Ale-house, &c. in Time of Divine Service, on Pain of 10s. on the House-keeper, and 5s. on the Guest.
- 9 Constables and Church-wardens in Towns, &c. have Power to enter into all Taverns, &c. and apprehend such Offenders, and carry them before a Magistrate, and to pay the Penalty to the Poor; not to extend to Sojourners.

Vid. Religion, 7.

**Lord Mayor.** Vid. Ballast, 1, &c. Bread, 1. Coals, 1, &c. *Dublin*, per tot. Poor-House, 1.

**Lord's Supper.** Vid. Sacrament.

**Lotteries.** Vid. Gaming, 3, 12.

**Loughs.** Vid. Partition, 21.

**Lucas, Francis.** Vid. Poor-House, 1. Rivers, 36, U.

**Lunaticks.** Vid. Ability, 11. Fools.

**Luttrell, Henry.** Vid. Papists, 66.

**M.** Vid. Clergy, 4.

**Madmen.** Vid. Fools.

**Macnemara, Margaret.** Vid. O'Brien, John.

**Macartney, James.** Vid. Poor-House, 1.

**Magill, Robert.** Vid. Rivers, 36, U.

**Mague.** Vid. Rivers, 22.

**Magistrates.** Vid. Chief Magistrate. Justice of Peace. *Victuals*, 1. *Wood*, 13.

**Magna Charta.** Vid. Confirmation, 4.

**Maids.** Vid. Felony, 9. Marriages, 10. Women, 3.

**Maihem.** Vid. Cattle, 3, 4. Tories, 7.

**Mainard, William.** Vid. Lights, 1, &c. Poor-House, 1.

**Mainprize.** Vid. Bail.

### Maintenance.

**N**O Clerk to take the Presentment of a Church in Debate, without the King's License, on Pain of losing the Church. 3 E. 1, c. 28.  
Eng. West. 1.



10 E. 3. c. 4.  
Eng.

None to maintain any Quarrels but their own.

10 Car. 1. Sess.  
3. cap. 15.  
Vid. 32. H. 8.  
c. 9. Eng.

None to buy or sell a Title of Lands, &c. unless the Seller, his Ancestors, &c. was one Year next before in Possession, &c. on pain that the Buyer and Seller shall forfeit the Value of such Lands to the King and Prosecutor.

None to maintain any Suit or Complaint in the King's Courts, nor unlawfully retain, &c. any Person, embrace Jurors, &c. suborn Witnesses, on pain of 10 l. Prosecution to be in one Year; this to be given in Charge at the Assizes.

Vid. *Actions popular*, 6. *Confirmation*, 9. *Execution of Statutes*, 1. *Feoffments*, 1.

**Malice.** Vid. *Clergy*, 9.

**Malt.** Vid. *Corn*, 10, 11.

**Manley, Isaac.** Vid. *Poor-house*, 1.

**Man of War.** Vid. *Wool*, 28, 36. *Wreck*, 4.

**Manors.** Vid. *Lands*.

**Mansion-house.** Vid. *Spiritual Persons*, 9.

**Man slaughter.** Vid. *Bail*, 6. *Clergy*, 10.

**Mantles.** Vid. *Apparel*.

**Man, Isle of.** Vid. *Isle-Man*.

**Manufactures.** Vid. *Linen*, and *Woollen*.

### Marches.

10 H. 7. c. 10.

BY this Act Marchers were to give an Account of their Revenue, to entertain no Rebels, and to be ready to defend the Marches.

**Marching the Camp.** Vid. *Soldiers*, 4.

**Mares.** Vid. *Horses*. *Militia*, 10. *Papists*, 63.

### Markets.

10 Geo. 1. cap.  
10.

**SMITHFIELD**, and all other Markets, for selling Cattle and Sheep, not to be opened before six in Summer, and eight in Winter Mornings, and then a Bell to toll.

None to buy Cattle coming to Market within six Miles thereof, on pain of 10 l. in both Cases, by Civil Bill to the Informer.

A Sales-man in *Smithfield*, to give 500 l. Security, by Recognizance, to return the Money received; to use no Fraud, &c.

The Sales-man, when accounting with his Principal, to give a Note of the Buyer's Name, the Lord Mayor may summon them, &c. to the Truth of such, the Sales-men to be prosecuted in B. R. for a Cheat, if any appear, and on the Recognizance also, and to give new Security before he act again; but Persons may sell their own Cattle.

Salef-

## Markets.

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5 Sales-men endeavouring to hinder Owners, &c. from selling, to forfeit 40 s.

6 Persons driving Cattle to slaughter, before or after Sale, changing any of them for worse; deemed a Cheat, and to pay treble Damages.

7 The Seller may dispose of Cattle left on his Hands 5 Days after the time limited, and have his Damages over; this Act was to be read at the then next Sessions, in all Counties.

8 This is continued in Force to the 25th March, 1737. by 3 Geo. 2. c. 5.

Vid. *Bread*, 11, 12. *Corn*, 1, 2.

**Market-town.** Vid. *Customs*, 157. *Fish*, 25, 26. *Tories*, 16.

**Markets and Fairs.** Vid. *Ad quod damnum*, 1. *Fairs*, Toll, 1, 4.

**Marlap, Thomas.** Vid. *Rivers*, 36. L.

**Marquess.** Vid. *Abatement*, 2.

**Marpborough.** Vid. *Counties*, 2. *High-ways*, 66.

## Marriages.

1 **A**LL Marriages consummate or having Children, declared in- 33 H. 8. Sess.  
diffolvable, notwithstanding Pre-contract not consummate, 1. c. 6. post, 16.  
and no Reservation shall impeach a Marriage without the *Levitical*  
*Degrees*.

2 By this Act Bigamy was Felony of Death, but did not extend 10 Car. 1. Sess.  
where the Husband or Wife was 7 Years absent, nor to Persons di- 2. cap. 21.  
vorced, *a Mensa & Thoro*, Vid. *Bigamy*, 2.

3 Marriages solemnized by Justice of Peace, by Power from the 17. & 18. Car.  
pretended Parliament, confirmed. 2. Sess. 5. cap. 3.

4 Protestant Women entitled to any Estate in Lands, or 500 l. Per- 9 Gul. 3. c. 28.  
sonal, marrying with *Papists* in *Ireland*, the same shall go to the post, 9.  
next Protestant Kin to whom the same should devolve by Law, if  
they and all nearer *Papists* Relations, &c. were dead.

5 And she and such Husband, shall be incapable of being Heir,  
Executor, Administrator or Guardian, to any Protestant.

6 The Parson marrying them, to suffer a Year's Imprisonment, and  
20 l. Penalty.

7 A Protestant marrying a *Papist* Woman, unless she reforms, with- Vid. *Solicitors*,  
in a Year, and inroll her Certificate (signed by the Bishop or Lord 6. 23.  
Chancellor) in the *Chancery*, to be deemed a *Papist* Recusant.

8 Parsons marrying Soldiers to *Papists*, to forfeit 20 l.

9 Persons marrying out of the Kingdom, to be subject to said Pe- 2 An. Sess. 1.  
nalties, as if they married in *Ireland*. Vid. *Ante*, 4. c. 6. Ante, 4.

10 Beneficed Clergymen celebrating the Marriage of a Maid, &c. 6 An. c. 16.  
under 18 Years old, having Lands or Goods, &c. or the Marriage  
of the Son of a Person under 21, having 50 l. per Annum, in Lands,  
or



or 500*l.* personal, being secretly conveyed or enticed away without Consent of Parents, Guardians, &c. shall be deprived and transported.

*Post*, 13.

8 *An. c.* 3.

*Popish* Priests marrying *Protestants* knowingly, to suffer as *Regulars*. 11  
If any of the Parties at the time of Marriage was a *Protestant*, 12  
it shall be deemed that the Priest knew it.

12 *Geo. 1. c.* 3.

*Ante*, 11.

*Popish* Priests or degraded Clergymen of the Church, or Person 13  
pretending to be a Clergyman, marrying two *Protestants*, or one be-  
ing a *Protestant*, guilty of Felony without Clergy.

Two Justices of Peace may summon the Person married, or pre- 14  
sent, and examine him upon Oath, what Religion the Parties are,  
and refusing to appear, be examined, or to enter into a Recogni-  
zance to prosecute at next Assizes, to be imprisoned for 3 Years.

Such Examination not to subject the Party to Penalties, &c. 15

*Ante*, 1.

No Contract not consummated by carnal Knowledge, shall avoid 16  
a Marriage consummated.

*Vid. Ability*, 5. *Bastard*, 1. *Court of Wards*, 8. *Crown*, 3. *Promise-*  
*collateral*, 1. *Rome*, 4. *Solicitors*, 23. *Women*, 1, 3, 4, 5.

**Mariners.** *Vid. Customs*, 21. *Sailors*, *Navigation*, 1. *Wool*, 15.

### Marshal and Marshalsey.

10 *Genl. 3. Sess.*  
2 *c. 9.*

**P**RISONERS in the *Four-Court Marshal*, to have Liberty 1  
to bring in their own Necessaries, no Room to contain more  
than four Beds, four Foot distant in the Sides, and to pay 1*s. d.* per  
Week for the standing of a Bed, or 2*s.* if two lie together, and  
no more than two to lie together.

Prisoners being double on the *Marshal's Bed*, to pay 2*s.* per 2  
Week each; and lying single on his Bed, with Necessaries, to pay  
2*s. 6 d.* Prisoners may agree for single Rooms; *Marshal*, &c. of-  
fending in this, or in his Fees, shall forfeit 20*l.* the First, 40*l.*  
the Second, to the King and Party aggrieved, by any Action in  
the *King's-Courts*, and forfeit his Office the Third.

The *Marshalsey* of the *Four-Courts*, and of the City of *Dublin*, to 3  
be kept separate, the *Marshal* of the *Four-Courts* to be appointed by  
Patent.

The *City-Marshal* to observe the same Rules, relating to the 4  
*Lodgings*, *Fees*, &c. on pain of the like Forfeiture.

*Vid. Court of the King's Marshal*, 1. *Fees*, 26.

**Marshal, Robert.** *Vid. Rivers*, 36. *M.*

**Martin.** *Vid. Rivers*, 22.

**Martin, Oliver.** *Vid. Papists*, 66.

**Mask.** *Vid. Rivers*, 25.

**M**ASONS, Bricklayers, or Workmen, laying any Piece of Timber in any Party-Wall in building, so that it appears thro' the same, or within 4 Inches of the Outside, or shall build upon the Timber from the Foundation (Shop, Windows and Doors excepted) shall forfeit  $\text{\textit{s}} 1$ . before two Justices of the Peace, on the Oath of one or more Witnesses, to be levied by Warrant of the Justices. 3 Geo. 2. c. 14.

Vid. *Felony*, 5. *Servants*, 3.

**Mals.** Vid. *Papists*, 53.

**Massareen, Lord.** Vid. *Rivers*, 36, U.

**Master in Chancery.** Vid. *Leases*, 12, *Solicitors*, 9:

**Master of the Rolls.** Vid. *First-fruits*, 2. *Officers*, 7. *Solicitors*, 18.

**Masters of Colleges.** Vid. *Oaths*, 6. *Uniformity*, 15.

**Masters of Ships.** Vid. *Certificate Goods*, 1, *Customs*, 20, 30, 120, 153. *Felony*, 42, 48, 59. *Greenwich-Hospital*, 2. *Hops*, 3. *Ireland*, 13. *Navigation*, 1. *Papists*, 61, 62. *Vagabonds*, 21. *Wooll*, 15.

**Master of the House of Correction.** Vid. *Governor of*.

**Master of the Royal Hospital.** Vid. *Poor-House*, 1.

**Master and Wardens.** Vid. *Artificers*, 6.

**Master Workman.** Vid. *Artificers*, 8, 12.

**Masts.** Vid. *Ireland*, 7. *Ships*, 12.

**Matrimony.** Vid. *Women*, 3.

**Matter of Form.** Vid. *Customs*, 137. *Error*, 11. *Fine*, 13. *Joinders*, 3. *Tories*, 11.

**Matter of Substance.** Vid. *Demurrer*, 3. *Error*, 11.

**Matry.** Vid. *Parish-Churches*, 20.

**Maud, Sir Robert.** Vid. *Poor-House*, 1. *Rivers*, 36. M.

**Marwel, Henry.** Vid. *Poor-House*, 1. *Rivers*, 36. U.

**Map-Bushes.** Vid. *Wood*, 2.

**Mayors.** Vid. *Corporation*, 6. *Customs*, 70. *Hemp*, 1. *Lights*, 6. *Measures*, 4. *Officers*, 8. *Recognizance*, 1, &c. *Vagabonds*, 2. &c.

**Mayor of Dublin.** Vid. *Lord Mayor*.

**Mazles.** Vid. *Butcher*, 1.

**Mead, James.** Vid. *Trade*, 1.

**Meal.** Vid. *Measures*, 17. *Corn*, 11.

**Mears and Mearing.** Vid. *Bounds*. *Partition*, 6, 20.

**Measlin.** Vid. *Corn*, 11.

### Measures and Weights.

**N**ONE to sell Wine, Ale, &c. within any City, &c. but with the King's Measure sealed, on Pain of forfeiting the Measure and 40 s. 28 H. 6. Stat. 2. c. 3.

One



**Measures and Weights.**

7 Gul. 3 c. 24.  
† *vid. Weights* 1.

One and the same † Measure to be used thro' the Kingdom, the Peck to be 2 Gallons, the Bushel 8, the Half-Barrel 16, &c. the Gallon 272  $\frac{1}{4}$  Inches.

One of each of said Measures to be marked and lodged in the *Exchequer*, and one of each to be measured, sealed and marked by that, and lodged with the Mayor, &c. in every County Town in the Kingdom, and be the Standard Measure.

The Mayor and Sheriffs, &c. to measure, mark and seal others by those in their Custody, and falsifying such, to forfeit 50 l.

None to sell Corn, &c. with any other Measure, but such as is sealed and marked as aforesaid, on Pain of 10 s. on the † Seller.

† *Post*, 8.

† *vid. Weights*,  
8. & *Post*, 19.

† Strike Measure to be used in selling all Grain, on pain of 5 l.

10 Gul. 3. *Seff*.  
2. c. 2.

All Merchandize sold by Weight, to be 112 Pounds to the Hundred, on pain of 10 s.

2 *An. Seff*. 1.  
c. 17.

By this Act the above Penalty in 5 is put upon the Buyer.

Any Persons not able to pay such Penalty, buying Corn by unstatutable Measures, the Employer of them shall answer it.

2 *An. Seff*. 2.  
c. 14.

One sort of Weight to be used, and all Goods to be in *Avoir-du-pois*, except Bread, Gold, Silver, and Drugs.

A Set of Weights to be provided at the Charge of the Queen, from one Pound weight to half a Hundred, to be marked and sealed in the *Exchequer*, and a set of Weights to be provided in all Cities, Counties, &c. to be marked and sealed for 1 d. each, by those in the *Exchequer*, as in the case of Measures above in 3; but the Towns, &c. are named in the Statute.

*Post*, 15.

A Weigh-Master to be appointed in all Places, to weigh all Merchandizes, and Beams and Scales at the Expence of the Town, with the Queen's Name, the Mayor, &c. to forfeit 40 s. per Month whilst Weights, Scales, or Weigh-master is wanting.

The County may be fined 5 l. at Assizes or Sessions, and continued for not having Brass Standard Weights.

No Weigh-master or Dealer shall keep or use any Weights for weighing any Goods, &c. not sized and equal with the Standard, and sealed, on Pain of 40 s.

Dealers may weigh their own Goods, if the Weights be sealed, &c.

These Offences may be enquired at Assizes and Sessions, and dispose of one Moiety of the Forfeitures to the Poor, the other to the Informer.

† *vid. Corn*, 11.

The Weigh-master to take the Oaths, &c. White Salt and † Meal to be sold by Weight, on pain of 5 s. to be determined by one Justice, with Liberty of Appeal to the Sessions.

White

- 18 White Salt imported, to pay Duty by Weight, 56 l. makes a Bushel, this Act is made perpetual, by 6 An. c. 12.
- 19 All Bargains for allowing more than strike Measure, or a Barrel to the Score, shall be void; Corn above one Barrel in Quantity, to be measured by the Barrel and not by Bushel or less Measure. 1 Geo. 2. cap. 10.  
Ant. 6.  
Vid. Corn. 11.  
repealed.
- 20 Persons buying or receiving Corn, &c. other than by the Standard-measure, or otherwise than by Strike, shall forfeit 10 l. by civil Bill, altering the Standard-measure, 50 l. to be prosecuted in 6 Months by Action of Debt, the Forfeitures to the Informer and poor equally.
- Vid. *Amerciament*, 3. *Bricks*, 3. 5. *Clerk of the Market*, 1. *Coats*, 8. *Drapery*, 15. &c. *Fees*, 27. *Linen Manufacture*, 9.
- Meath.** Vid. *Counties*, 7.
- Meath, Bishop.** Vid. *Poor-house*, 1.
- Meath, Earl.** Vid. *Rivers*, 36, L.

**Mediterranean Passes.**

- 1 PERSONS within *England* or *Ireland*, &c. forging them, or to alter, erase, utter, or publish any of them forged, Guilty of Felony, to be tried in *England* or *Ireland*. 4 Geo. 2. c. 18.  
Eng.
- Meeting-house.** Vid. *Religion*, 3, 10.
- Members of Parliament.** Vid. *Amerciament*, 10. *Assault*, 2. *Highways*, 57. *Militia*, 16. *Oaths*, 7. *Plantation*, 7.
- Memorial.** Vid. *Register*, 1, 4, 5, 6, 10, 17.
- Menial Servants.** Vid. *Servants*, *Game*, 11. *Privilege*, 1.
- Mensal Lands.** Vid. *Alms-house*, 1. *Glebes*, 6, 7. *Spiritual Persons*, 7, 19.

**Merchants and Merchandize.**

- 1 MERCHANT Strangers to have safe Conduct coming into, going out of, or remaining in the Realm, to buy and sell 9 H. 3. c. 30.  
Eng. M. Ch.  
(except in War time.)
- 2 Merchants (except alien Enemies) may safely come into the Kingdom with their Goods and Merchandize. 14 E. 3. Stat. 2. cap. 2. Eng.
- 3 All Merchants may buy of the Staple. 27 E. 3. St. 2. c. 3. Eng.
- 4 No Merchant to be impleaded for anothers Debt and Trespass where he is not Debtor; Pledge, &c. Alien-merchants to have 40 Days Notice to sell their Effects, and depart on any Difference with a foreign State. 27 E. 3. c. 17. Eng.
- 5 Any Merchant, may deal in more Merchandize than one. 38 E. 3. c. 2. Eng.
- 6 Merchant Strangers may come into the Realm and depart at Pleasure, and be friendly entertained. 5 R. 2. c. 1. Eng.



**Merchants and Merchandize.**

4. H. 4. c. 15. Eng. Merchants not to export Money received for Merchandize imported. 7
- 5 H. 4. c. 9. Eng. Merchant Strangers to employ their Money on the Commodities of the Realm. 8
- 1 R. 3. c. 9. Eng. Italian Merchants to sell their Merchandize in Gros, at the Port where they land, and not by retail on pain of Forfeiture. 9
- 12 E. 4. c. 1. None to export Hides, &c. from *Ulster* to *Scotland* without paying the Duty. 10
- The Chief Justice to determine said Offence by a Jury of the next County, the King's Writ not running in *Ulster* (*obsolete*.) 11
- 2 An. Sess. 1. c. 15. Post. 14. None to slaughter any Cows, &c. for Exportation under 5 Years old, on pain of forfeiting the same, and the Beef in Barrel forfeited also. 12
- 9 An. c. 7. The Cods, and Shifts of Cattle slaughtered for Transportation, not to be cut away, on pain of 20 s. 13
- 2 Geo. 1. cap. 16. Ante, 12. By this Act, the Butcher, &c. killing Cattle under 5 Years old, forfeits 5 l. for each Beast, to the Informer by Distress, &c. by a Justice of Peace's Warrant. 14
- Vid. *Arbitration*, 1, *Bows*, 2. *Cloth*, 4. *Customs*, &c. 6, 8, 12. *Extortion*, 3. *Fairs*, 3. *Measures*, 7, 12. *Plantation*, 2, &c. *Recognizance*, 1, &c. *Sea*, 1. *Sheep*, 5. *Ships*, 2, 3. &c. *Wine*, 7.
- Meredith, Thomas.** Vid. *Poor-house*, 1. 10
- Merion, Lord.** Vid. *Parish-Churches*, 8.
- Mesne Rates.** Vid. *Quar' Impedit*, 5.
- Messenger.** Vid. *Bullion*, 1.
- Metal.** Vid. *Coin*, 18. *Gold*, 3. *Pewter*, 3, 6.
- Metropolitan.** Vid. *Appropriators*, *Glebes*, *Presentation*, *Union*.
- Micans.** Vid. *St. Micans*.
- Michaelmas Term.** Vid. *Days in Bank*, 7.
- Middleton.** Vid. *Poor-house*, 1.
- Milford Haven.** Vid. *Wool*, 22. 12
- Milk.** Vid. *Lord's-day*, 2. *Wine*, 14.
- Mill.** Vid. *Dublin*, 28, *Toll*, 3.
- Millers.** Vid. *Horses*, 2.
- Military List.** Vid. *Barracks*, 3. 13

**Militia.**

2 Geo. 1. c. 9. THE King or Governor, may issue Commissions of Lieutenancy or Array in every County, to call the Militia together, to train and exercise them, &c. 15

The Governor, or said Commissioners or Deputies, may in case of Invasion, applot 6 d. per Diem for Foot, and 12 d. for Horse, on the County, or the Proprietors of Lands. 16

Papists 17

## Militia.

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- 3 Papists and Non-jurors to pay double: And in Case of Invasion, the Militia shall be drawn out of their County into actual Service, and be mustered and paid as the standing Forces are.
- 4 The Commissioners, &c. may impress Carriages, &c. on the March, and pay as † Regiments do, and punish Mutiny, &c. by Vid. *Soldiers*,  
Fine of 5 s. *per Diem*, and Imprisonment for a Month. 17.
- 5 The Applotment may, on Refusal, be levied by Distress, by War- rant of 3 or more of the Commissioners.
- 6 Persons imbezzling Furniture, &c. to be imprisoned till they make Satisfaction.
- 7 Commissioners may inlist all Protestants from 16 to 60 Years, or compel them to send one instead, who being summoned, refusing to appear, the commanding Officers of Troops, &c. may fine a Horse- man 5 s. *per Diem*, a Foot-Soldier, 2 s. 6 d. or 10 Days Imprison- ment, on Non-Payment.
- 8 Treasurers to be appointed by the Commissioners for collecting the Money from the County at 6 d. *per Lib.* Fees, and to account for the same: A Duplicate to be sent to the Council and Sessions.
- 9 Days for mustering, &c. are the *Monday* after 25th of *March*, the Vid. *Post*, 19.  
1st or 2d Days of *May*, *Tuesday* in *Whitsun-Week*, and 24th or 25th of *June*.
- 10 The Governor and Council may by Proclamation command all civil Officers to seise the Horses of Papists and Non-jurors fit Vid. *Quakers*,  
to mount Troopers (breeding Mares, Stallions and Horses under 2.  
4 Years old excepted) and detain them for 10 Days. Any Person in the Militia paying 5 l. for such Horse in that Time, may keep him as his Property.
- 11 Upon Proof that a Papist or Non-juror had a Horse fit for the Service in his Possession a Month before the Proclamation, and re- fusing to deliver him, to forfeit 10 l. and Imprisonment till paid.
- 12 The Commissioners to divide the County into Districts, for the Ease of the Inhabitants. None to be obliged to serve who finds a Protestant in his Place.
- 13 The Commissioners in Cities, &c. have the same Power as those in Counties, where there are Governors.
- 14 Papists in Cities to find Protestants to serve, and the Sufficiency of the Man to be determined by the Commissioners, or 3 of them.
- 15 The Commissioners in Cities, &c. to lead out the Militia, as often as the chief Governor shall think fit.
- 16 This Act not to affect the Person or Privilege of Members of Parliament.
- 17 The Arms and Accoutrements of the Horse and Foot to be kept 6 *Geo. I. c. 3.*  
in one convenient Place, for their Use.

D d 2

Officers



**Militia.**

Officers of the Land-Forces not obliged to send a Man to the Militia.

Twenty Shillings may, by Presentment at the Assizes, be levied, for the Refreshment of Troops and Companies, on Papists for each Day they are out, *as Ate*, 9.

These two last Acts of the 2 & 6 Geo. 1. being for 2 Years only, were further continued by several Statutes, and are now continued by 3 Geo. 2. c. 5. to the 25th of March, 1737.

*Vid. Quakers*, 2.

**Mill-stones.** *Vid. High-ways*, 41.

**Mill-town Dals.** *Parish-Churches*, 31.

**Mines and Minerals.** *Vid. Coin*, 18. *Gold*, 11, &c. *Felony*, 56.

*Servants*, 18.

**Ministers.**

17 & 18 Car. 2. *Sess. 5. 6. 7.* **THE** Lord Lieutenant and 6 of the Council may, every 3 Years, issue a Commission to value Houses in Cities, &c. and pursuant to such Valuation, to allot to the Ministers, having Cure of Souls in the City of *Dublin*, &c. a Sum not exceeding 12*d.* *per Lib.* yearly Value of such Houses, and no House to be valued above 60 *l.* *per Ann.*

Said Commission to be under the Great Seal, and returnable to the Clerk of the Council, and the Allotment thereby made, to be good in Law against the Inhabitants; said Money to be received by the Church-Wardens yearly, in 4 equal Payments, as *Christmas*, &c. and may enter and distrain for the same.

Church-Wardens neglecting, to be fined 5 *l.* &c. by the Lord Lieutenant.

*Vid. Parish-churches*, 10. *Uniformity*, 1.

**Ministers of Dublin.** *Vid. Poor-house*, 1.

**Minthead.** *Vid. Wooll*, 22.

**Minors.** *Vid. Administrator*, 9.

**Mine.** *Vid. Coin*, 10, 14, 15. *Gold*, 6.

**Misprision of Clerks.** *Vid. Amendment*, 1, 4.

**Misdemeanor.** *Vid. Felony*, 17, 24.

**Misnomer.** *Vid. Jeofails*, 13, 5.

**Misprision of Treason.** *Vid. Coin*, 13.

**Mistake.** *Vid. Abatement*, 1.

**Mitchel, Joseph.** *Vid. Parish-Churches*, 27.

**Mixtures.** *Vid. Coin*, 18. *Linen-Manufacture*, 26. *Wines*, 14.

**Model.** *Vid. Spiritual Persons*, 20.

**Modus.** *Vid. Tythes*, 4, 11, 15.

**Mogelp.** *Vid. Parish-Churches*, 19.

**Mogh.** *Ibid.* 23.

**Molasses.** *Vid. Ireland*, 7, 8.

**Monasteries.**

**Monasteries.** Vid. *Abbies, Religious Houses, 1. Vicarages, 1.*

**Money.** Vid. *Aliens, 8, Attainder, 13. Clift Money, Coin, 1, 4. Gaming, 2, 7, 8. Grand-jury, 2, 15. High-ways, 34, 35. Justice of Peace, 3. Lights, 4. Merchants, 7, 8. Militia, 8. Murder, 3. Parish Churches, 55. Pleaders, 6. Prisage, 2. Prisoners, 10. Schools, 16. Sheriff, 29. Tories, 24. Usury, 6. Watches, 21.*

**Monks.** Vid. *Papists, 10.*

**Monstrans, de droit.** Vid. *Traverse, 2.*

**Monroe.** Vid. *Rivers, 15.*

**Montgomery, Alexander.** Vid. *Hospital, 1. Poor-House, 1.*

**Moore, John.** Vid. *Rivers, 36 U.*

**Moore.** Vid. *Rivers, 20.*

### **Mortdances.**

- 1 **T**HE Writ of *Mortdances* is by this Act to be taken in the pro- 9 H. 3. c. 12.  
per County. Eng. M. Ch.
- 2 If the Lord did not render to the Heir his Land at full Age, the 52 H. 3. c. 6.  
Heir might recover by Affize of *Mortdances*, (Vid. *Court of Wards*.) Eng. Marl.
- 3 If a Person dying having many Heirs, the next Heir shall reco- 6 E. 1. c. 6. Eng.  
ver against others a farther Degree off, by *Mortdances*. Eloc.
- 4 Damages to be awarded in all cases in recovery by *Mortdances*, *ibid.* Cap. 1.  
Vid. *Damages, 2. Justice of Affize, 1. Limitation, 1.*

### **Mortgages.**

- 1 **I**F any give or suffer a Judgment, &c. for securing Money bor- 9 Gul 3. Sess.  
rowed, and shall after mortgage his or her Lands for more 1. c. 36.  
Money borrowed from another, and not give notice in Writing,  
&c. of such Judgment before the Execution of the Mortgage, and  
shall not on 6 Months notice from the Mortgagee discharge said Judg-  
ment, he, &c. shall be barred of the Equity of Redemption.
- 2 And the like Law is in case of two Mortgages, but that here  
the second Mortgagee is not obliged to give the Mortgager notice  
(as above) for clearing the first Mortgage, but is barred of the E-  
quity of Redemption, for concealing the first Mortgage.
- 3 The latest Mortgagee or Mortgagees may clear off prior Mort-  
gagees, by paying the Mortgagee.
- 4 This shall be no Bar of Dower, unless otherwise excluded.
- 5 After 1<sup>st</sup> October, 1734. upon Bills of Fore-closure Filed, or to 7 Geo. 2. c. 14.  
be Filed in the Chancery or Exchequer, where it appears by Affidavit,  
that the necessary Parties abscond, or are out of the Kingdom, and  
can't be served with Process, to compel them to appear, if in the Post, 7.  
Kingdom, within 12 Months next before the Affidavit. Service of  
the Tenants, Agents, or Receivers of the Rents of the mortgaged  
Premises, or at the last place of Abode of the Party, shall be  
good service of the Subpœna. And



**Mortgages.**

And upon Non-appearance or Answer within 4 Terms, the Bill to be taken *pro Confesso*, as if the Defendant had appeared, and the Court shall decree and make the necessary Orders, to execute the same.

And in like manner, service of the *Subpena* in any Bill of Foreclosure on the Agent, &c. and the last place of Abode of any Person, having an Estate in the Kingdom, and residing out of it, on Affidavit of his being out of the Kingdom for 12 Months before, shall be good Service of the Defendant; and the Courts to proceed to Decree and Execution as above.

If the Defendant within 2 Years after personal service of the Decree, or within 7 Years from the making when no service, pay or give Security for the necessary Costs; the Court on Application may let him in to appear and answer, and to proceed and decree *de novo*, as if no former Decree, otherwise to be final.

The Plaintiff after the Bill is taken *pro confesso*, may give notice in Manner aforesaid, and examine Witnesses *de bene esse*, and their Depositions if they die, shall be read; if the Defendant come in as above, and if living may be examined in Chief to any matter put in issue by the answer, but their former Depositions are declared void, and shall not be published.

Vid. *Papists*, 45. *Rent*, 23, 24.

**Mortgagor.** Vid. *Gold*, 16.

**Mortgagee.** Vid. *Ability*, 8, 11. *Gold*, 16. *Limitations*, 19. *Parliament*, 49. *Register*, 16, 20. *Rent*, 11, 23, 24.

**Mortlins.** Vid. *Sheep*, 4.

**Motion in Court.** Vid. *Certiorari*, 1. *Superfedeas*, 1,

**Mortmain.**

9 H. 3. c. 36.  
Eng. M. Ch.

**L**ANDS given to a Religious House the Grant to be void, and the Lands forfeited.

7 E. 1. Eng. Stat.  
de Religiosis.

Where Lands are alienated in *Mortmain*, to a Religious Person, the King or other immediate Lord may enter within a Year.

27 E. 1. Eng.

The King's Licence to be had for amortizing Lands, and the Writ of *ad quod damnum*, to Issue to enquire concerning the same.

13. E. 1. c. 32.  
Eng.

It is *Mortmain* where a Religious Person recovered Lands by default, where he had no Title.

18. E. 3. Stat 3.  
Cap. 3. Eng.

Prelates, Clerks, &c. not to be impeached for *Mortmain* on producing the King's License for the same.

15 R. 2. c. 5.  
Eng.

It is *Mortmain* if Lands be employed to a Church-yard, or to a Guild or Fraternity or Corporation without license.

Vid. *Appropriations*, 2. *Corporation*, 1. *Glebes*, 1. *Parish-Churches*, 5.

**Mothers.** Vid. *Administrator*, 10.

**Mop.** Vid. *Rivers*, 25.

**Muckillen.** Vid. *Castle*, 3.

**Mullingar.** Vid. *Counties*, 9.

**Multi-**

**Multiplying.** Vid. *Gold*, 7.

**Mungagh.** Vid. *Rivers*, 14.

### Murder.

1 **M**urder not to be so adjudged where 'tis found by Misadventure, but where 'tis done by Felony. 52 H. 3. c. 25. Eng.

2 Offenders for Murder, and Accessories, being indicted, to be arraigned at any time within the Year, at the King's Suit; and tho' they are acquit, the Justices may remand them to Goal, or bail them for a Year and Day, allow'd for the Appeal. 3 H. 7. c. 1. Eng.

3 If any shall take Money for the Murder of his Friend, &c. he shall have Judgment *de Vie et de Member*. 10 H. 7. c. 11.

4 By this Statute, Murder is made High Treason in Ireland. 10 H. 7. c. 21.

Vid. *Appeal*, 11. *Bail*, 1, 4. *Bastard*, 4. *Coroners*, 3, 6. *Escape*,

2. *Felony*, 38. *Forfeiture*, 5. *Hue and Cry*, 1. *Jeofails*, 4.

*Pardon*, 1, 3. *Piracy*, 1. *Tories*, 7. *Witnesses*, 1. (Quer. If

*Poisoning* be made Murder in Ireland, by Stat. Vid. 1 E. 6. c. 12.

Eng. but see *Tit. Trial*, 2.)

**Murrage.** Vid. *Toll*, 2.

**Muscovia.** Vid. *Ships*, 12.

**Muslins.** Vid. *East-India Goods*, 1. *Linen Manufacture*, 69.

**Musters.** Vid. *Militia*, 3, 9.

**Mute.** Vid. *Clergy*, 6, 12. *Painfort and Dure. Servant*, 16. *Women*, 8.

**Mutiny.** Vid. *Militia*, 4.

**Mutton.** Vid. *Cattle*, 2.

**Names.** Vid. *Apparel*, 1. *Beef*, 1. *Butter*, 2, 14, 17, &c. *Coaches*, 10. *Customs*, 153. *Fish*, 25. *Linen Manufacture*, 8, 60. *Towns*, 1.

**Napper, Robert, Major General.** Vid. *Poor-house*, 1.

**Naturalization.** Vid. *Ability*, 2. &c. *Plantation*, 2. *Scots*, 1.

**Navan.** Vid. *Corn*, 16. *High-ways*, 65.

**Navigable Rivers.** Vid. *Wooll*, 17.

### Navigation.

1 **M**aster, &c. of a Ship, carrying any Seamen or Mariners (Pretences excepted) from any Port to Parts beyond Sea, without Agreement in Writing, expressing the Wages, Voyage and Time, shall forfeit 5*l*. for every Sailor, to the *Blew-coat Hospital* and Free-school in *Dublin*, to be levied by Warrant of a Justice of Peace, on the Oath of one Witness. 5 Geo. 2. c. 13. Post, 7.

2 Sailors bound to sign said Agreement in 3 Days after shipping themselves, and shall bind all Parties.

Sailors



Sailors deserting after signing said Agreement, or refusing to go the Voyage, to forfeit all the Wages to the Owner of the Ship, and to be sent to the House of Correction, not under 14, nor exceeding 30 Days, by Warrant of a Justice of Peace.

*Post, 2.* Sailors absenting themselves without Leave, to forfeit 4 Days Pay *per diem*; and leaving a Ship without a Discharge, to forfeit a Month's Pay.

Sailors to be paid their Wages in 30 Days after the Ship is invoiced, or sooner if discharged, on Pain of 20s. notwithstanding any Action, Bill of Sale or Attachment.

The Sailor, on a Suit for their Wages, not obliged to produce said Agreement, but the Master, &c. is to produce it.

Forfeitures on this Act (except *ante, 3.*) to be paid by the Masters, on Pain of treble Value to the Collector of the Port, who collects the *Greenwich* Hospital Money, to be apply'd to the Uses, *ante, 1.*

This is a Publick Act, and to be in Force for 2 Years from the 25th April, 1732. &c. This not to hinder the King's Service. Further continued to the 25th March, 1735. and the End of the Sessions after, by 7 Geo. 2. c. 7.

*7 Geo. 2. c. 7.* A Doubt arising whether on the Words, *ante, 4. (leaving a Ship)* the Sailor, if he absents himself without Leave, he shall forfeit the Month's Pay; by this 'tis enacted, That leaving or absenting without Leave, incurs said Penalty, payable as aforesaid.

**Nests.** Vid. Game, 8.

**Nets.** Vid. Fish, 7, 11, 13, 19, 22. Wears, 9.

**Newborough.** Vid. Parish-churches, 28.

**Newcastle.** Vid. High-ways, 66.

**Newgate.** Vid. Trial, 6.

**New Ross.** Vid. Wooll, 22.

**Newry.** Vid. Corn, 16.

### News.

*3 E. 1. c. 33. Eng. W. 1.* **NONE** to report false News or Slander, whereby Discord might arise between the King and People, unless he produce his Author.

*1 R. 2. c. 3. Eng.* None to devise or speak false Lies, &c. of Prelates, Lords or Great Officers, whereby Slander or Discord may arise.

Vid. Scandalum magnatum, 3.

**Next of Kin.** Vid. Administrator, 1, 2, &c. Marriages, 4. *Partists, 27.*

**Michil.** Vid. Exchequer, 6.

**Night-walkers.** Vid. Arrest, 4.

- 1 **J**ustices to be assigned to take Assizes of Novel Disseisin, &c. 13 E. 1. c. 30. and have in their Circuits, Clerks to inrol all Pleas, &c. Eng. W. 2.
  - 2 Justices of *Nisi prius* have Power to record Non-suits and Defaults, &c. in the Country, at the Days assigned, and are to report them in the Bench; and thereupon Judgment shall be given. 12 E. 2. c. 4. Eng.
  - 3 Justices of Assize and *Nisi prius* may hear and determine Conspiracy, Confederacy, Champerty, &c. and by 5 E. 3. *Nisi prius* is grantable in Attaints; but that which cannot be determined before the Justices upon the *Nisi prius*, shall be adjourned to the Bench. 4 E. 3. c. 11. Eng.
  - 4 Justices of *Nisi prius* are impowered to give Judgment in Felony, Treason, and to award Executions. 14 H. 6. c. 1. Eng.
  - 5 The Chief Justices and Chief Baron, or any of the others in their Absence, may, in the Four-Courts, in Term-time, or in 4 Days next after any Term, try any Issue join'd, in the County or City of Dublin, by Enquest of the same; and award Writs of *Nisi prius*. 17 & 18 Car. 2. Sess. 2. c. 20.
  - 6 Notice of Trial to be taken, and Tales granted, &c. as in other Counties; and the Sheriffs of the City and County of Dublin to attend, &c.
  - 7 All Parties, Jurors, Witnesses, shall be bound as in other Cases.
  - 8 Writs of Assize and *Nisi prius* may be executed by the *Puisne* Barons of the Exchequer, Prime Serjeant, Attorney and Solicitor General, and all the King's Council; and may be Commissioners of Oyer and Terminer, Goal-delivery, &c. 8 Geo. 1. c. 6.
- Vid. Attaint, 2. Fees, 28. Jurors, 11.

**Nobility.**

- 1 **T**HE Nobility of Ireland, tho' they reside in England, &c. shall be subject to Taxes. 10 Car. 1. Sess. 3. cap. 21.

**Robber.** Vid. High-ways, 77.

**Noblemen.** Vid. Scandalum magnatum, 1.

**Nomination.** Vid. Schools, 3.

**Nominees.** Vid. Settlement, 2.

**Non-ability.** Vid. Disability, 1.

**Non compos mentis.** Vid. Ability, 17. Oaths, 17.

**Non-claim.** Vid. Fine, 6.

**Non est inventus.** Vid. Coroners, 9. Indictments, 3. Recognizance, 4. Riot, 7.

**Non obstante.** Vid. Outlawries, 12. Parliament, 12.

**Non-jurors.** Vid. Militia, 3, 10.

**Non-**



**Non-plevin.**9 E. 3. c. 2.  
Eng.**N**ONE shall lose their Lands, by reason of Non-plevin.**Non-suit.**2 H. 4. c. 7.  
Eng.**W**Here the Parties are adjourned by some Difficulty in Law, upon the Matter found, the Plaintiff shall not be Non-suit, if the Verdict pass against him.Vid. *Arrest*, 7. *Costs*, 1. *Nisi prius*, 2. *Replevin*, 2.**Non-tenure.**25 E. 3. St. 5.  
c. 16. Eng.**N**O Writ shall abate by the Exception of Non-tenure of Parcel, but only of the Quantity alledged.**Note.** Vid. *Rivers*, 17. *Wears*, 3.**Norfolk, Duke of.** Vid. *Absentees*, 1.**Notary.** Vid. *Fees*, 1.**Notes.** Vid. *Bank-notes*. *Contracts*, 1. *Promissory-notes*, 1.**Notice.** Vid. *Bills of Exchange*, 2. *Bishop*, 6, 7. *Corporation*, 7. *Customs*, 116, 117, 120, 123, 127, 149, 166. *Dublin*, 17. *Egyptian*, 1. *Hearth-money*, 15. *High-ways*, 26. *Mortgages*, 1, 2. *Parliament*, 45. *Rent*, 21. *Sheriff*, 29, 30. *Tenants*, 1. *Tories*, 3, 10, 16.**Not Guilty.** Vid. *General Issue*.**Novel Disseisin.** Vid. *Age*, 1. *Affize*, 1, &c. *Damages and Costs*. *Heafments*, 2.**Nul tiel Record.** Vid. *Costs*, 11. *Justice of Affize*, 1. *Nisi prius*, 1.**Number.** Vid. *Coaches*, 4, 12.**Quincupative Wills.** Vid. *Wills*, 11, 12, 13, 17.**Nurses.** Vid. *Servants*, 13.**Nusance.**23 E. 1. c. 24.  
Eng.**A** Writ of Nusance grantable against the Affence, as well as against the Party that levelled it.6 R. 2. c. 3.  
Eng.

All Writs of Nusance called Vicontiel to be made at the Election of the Plaintiff before Justices of either Bench.

Vid. *Fire-works*, 1. *Gaming*, 3. *Hops*, 2. *Infection*, 1. *Str. Pa-tricks*, 12, 13. *Sheep*, 12.**Nuts, Cocoa.** Vid. *Tea*.**Oak Gads.** Vid. *Wood*, 12.**Oaths.***Magna Char-ta*, printed by  
*Tottel*.**B**Y *Magna Charta*, the Oath of the King, Bishops, King-Council, Sheriffs, Mayors, &c. were appointed.

But

- 2 But the Coronation-Oath was by Stat. 1. Gul. & M. c. 6. Eng.  
regulated and ordered to be administered to future Kings, &c.
- 3 This Statute obliges Judges to take Oaths to do Right to all, <sup>18 E. 3. c. 1.</sup>  
without Respect of Persons. <sup>Eng.</sup>
- 4 The Oath of Supremacy appointed by 2 El. Eng. is abolished by <sup>3 & 4 Gul. & M. cap. 2 Eng.</sup>  
this Act.
- 5 The Oaths of Allegiance and Supremacy, and the Declaration,  
are by this Act appointed, and to be taken, made and subscribed in  
Ireland, by all Archbishops, Bishops; and all Persons having any  
Promotion-Office, &c. Ecclesiastical, Civil or Military, or recei-  
ving Pay, Salary, Fee or Wages, Master of a College or School,  
Barrister, Clerk, Attorney, Professor of Law, Physick, or other  
Science; Persons refusing it to be deprived, and be rendered inca-  
pable to enjoy any such Office, Pay, Salary, &c.
- 7 Peers and Members of Parliament not to vote or make a Proxy,  
before they take the Oaths, &c. which see in this Statute at large;  
the Hours to be sworn in Parliament, are from Nine in the Mor-  
ning till Four in the Afternoon.
- 8 Persons before mentioned, refusing the Oaths, &c. to be disabled  
to sue to be Guardian, Executor or Administrator, or take a Le-  
gacy, Deed of Gift, and to forfeit 500 l.
- 9 A Saving for Persons residing in Limerick, or in the Irish Gari-  
sons, in October, 1691, &c. or who had not then taken the King's  
Protection; Persons included in this Saving, to take out their  
Claims.
- 10 Two † Justices of Peace may summon Persons above eighteen † <sup>Vid. Papists,</sup>  
Years old, to take the Oaths, on pain of 40 s. the first Offence, <sup>67.</sup>  
the Second 10 l. the Third a *Premunire*, unless a *Fem' Covert*, and  
she is to be imprisoned without Bail, &c. till she comply.
- 11 The *Quakers* to make an Affirmation (*which see in the Act*) and  
no *Quaker* to be capable of a Place, &c. where any Person taking  
the Oaths may be entitled; no Dispensation against this Act.
- 12 None to take Benefit as a *Protestant*, till he take the said Oath, <sup>2 An. Sess 1.</sup>  
subscribe the Declaration, and also take the Oath of *Abjuration*, by <sup>c. 6.</sup>  
this Act appointed.
- 13 And all Persons in Employ, Post, Office, &c. are required to  
take said Oaths, and also to receive the Sacrament within three  
Months, on a *Sunday*; and before he takes the Oaths, &c. to deli-  
ver a Certificate of having received the Sacrament, signed by the  
Minister and Church-Wardens, and prove the Truth thereof by  
two Witnesses, his Employment (on Default) adjudged void, and  
he incapable.
- 4 Persons executing Offices, not having taken said Oaths, &c. and <sup>Vid. Indem-</sup>  
being thereof convicted, are disabled to sue, be Guardian, &c. <sup>nity.</sup>



**Oaths.**

The Names of all the Persons to be put in a Roll, and the Courts are required to administer the Oaths, &c. Persons forfeiting by Neglect, may, on a new Grant, qualify themselves.

Not to extend to Persons out of the Kingdom, *non compos mentis*, &c.

4 Geo. 1. c. 3. By this Act the Oath appointed by the new Rules, by Vertue of a Clause in the Act of Explanation, and a Part of the Declaration, appointed by the 17 & 18 Car. 2. c. 6. both which relate to the taking Arms against the King, are taken away.

6 Geo. 1. c. 9. Officers to give Certificates of the Oaths, taking, &c. which on Proof by one Witness, shall be sufficient Evidence.

8 Geo. 1. c. 6. Persons who are obliged to take Oaths of Office, before the Lord Chief Baron, may in his Absence take them before the Chancellor, or any other Baron of the Exchequer.

1 Geo. 2. c. 2. This Act is made to indemnify Persons who have taken the Oaths, tho' not in the Term, nor in the Quarter-Sessions next after their Admission, &c.

1 Geo. 2. c. 6. Persons in the Revenue, may be sworn before any Justice of Peace or Collector.

Vid. *Abjuration*, 1. *Aliens*, 9. *Bail*, 8. *Barrister*, 2. *Bishop*, 8. *Butcher*, 7. *Clerk in Chancery*, 1. *Constable*, 2. *Customs*, 29, 31, 46, 66, 78, 124, 152. *Distress*, 22. *Education*, 5. *Fees*, 29. *Forfeited Estates*, 101. *Hearth-money*, 12. *Hemp*, 7, 10. *Hides*, 2. *Highways*, 29. *Indemnity*, 1, &c. *Isle-man*, 3. *Justice of Assize*, 2. *Linen-Manufacture*, 52. *Measures*, 17. *Papist*, 5, 7, 8, 35, 46, 54, 55, 67. *Parliament*, 25, 32, 37. *Plantation*, 2, 9. *Quakers*, 5. *Recognizance*, 13. *Register*, 7. *Religion*, 1. *Rivers*, 7. *Rome*, 19. *Schools*, 9. *Sheriff*, 22, 50, 51. *Ships*, 14, 25. *Small Debts*, 1. *Solicitors*, 1, 4, 10, 13. *Spiritual Persons*, 22. *Tobacco*, 8.

**Oatmeal.** Vid. *Meal*.

**Oats.** Vid. *Corn*, 11.

**Object of Mercy.** Vid. *Felony*, 12, 27, 60.

**Oblations.** Vid. *Limitation*, 9.

**Obligations.**

38 E. 3. c. 4.  
Eng..

**A** L L Penal Bonds in the third Person, shall be void.

Vid. *Durefs*, 1. *Forgery*, 8. *Women*, 1.

**Obre, Francis.** Vid. *Parish-Churches*, 12, 13.

**O Brian, John.** Vid. *Women*, 8.

**Obventions.** Vid. *Limitation*, 9.

**Occupancy.** Vid. *Wills*, 10.

**Occupiers.** Vid. *Hearth-Money*, 5. *High-Ways*, 13.

**Odio and Atia.** See the 3 E. 1. c. 11. Eng.

**Offenders and Offences.** Vid. Clergy, 12. Customs, 37, 51. Education, 2. Measures, 16. Pardon, 3. Rome, 23. Wough, 34.

**Offerings.** Vid. Tythes, 4.

**Offices.** Vid. Judicial Offices, Escheators, 3, 5, 7. Sheriff, 7, 45.

### Officers and Offices.

**T**HE Chancellor, Treasurer, &c. the Justices and Barons, &c. <sup>12 R. 2. c. 2.</sup> called to name Justices of Peace, Sheriffs, &c. or any other <sup>Eng.</sup> Officers to be sworn, not to ordain any Officer for any Gift, Favour or Affection, and none who pursueth privily or openly for himself or others, to be in such Office.

Customers, Controllers, Searcher, Weigher, and Finder, to hold <sup>14 R. 2. c. 10. and 17. R.</sup> the Office during the King's Pleasure only.

All Officers made by the King's Letters Patents, within his <sup>2. c. 5. Eng.</sup> Courts to be sworn to appoint such Clerks, &c. under them as <sup>2 H. 6. c. 10. Eng.</sup> they will answer for at their Peril and such as are sufficient.

The King's Officers may pass by Sea from one Place to another, <sup>25 H. 6. c. 1.</sup> without forfeiting their Offices.

And may without forfeiting their Offices, &c. go out of the <sup>25 H. 6. c. 2.</sup> Land by Command of the King's Lieutenant.

The Office of the King's Lieutenant not to be void by going <sup>7 E. 4. c. 1.</sup> out of the Kingdom.

The Chancellor, Treasurer, Judges, Barons, Master of the Rolls, <sup>10 H. 7. c. 2.</sup> and all Officers and Accomptants, shall have their Patents but during the King's Pleasure.

All Justices of Peace, Church-Wardens, Mayors, or any other <sup>10 Car. 1. Sess. 2. cap. 16.</sup> Officers and their Assistants, &c. may plead the general Issue in all Actions of Trespass, upon the Case, &c. brought for any Thing done by virtue of their Office.

And therein, if Proof be not made on the Trial, that the Cause of Action arose within the County where laid, the Jury to find against the Plaintiff, and Defendant to have double Costs to be recovered as usual.

Archbishops, &c. and all other Dignitaries, Heads of Colleges <sup>10 & 11 Car. 1. Sess. 4. c. 3.</sup> and Hospitals, may grant antient Offices.

Vid. Accounts, 3. Disceit, 2. Distress, 4. Drapery, 31. Escheators

3. Exchequer, 1. Queen, 1. Solicitors, 9, &c. Traverses, 1.

**Officers of the Army.** Vid. Game, 12, 13. Militia, 18. Soldiers, 4. &c.

**Office of Excise.** Vid. Customs, 46, 48.

**Officers of the Revenue.** Vid. Coin, 19. Customs, 25, 46, 65, 150. Drapery, 30. East-India Goods, 1. Edystone, 2. Extortion, 3. Oaths, 22. Ships, 14. Wreck, 4, 11.

Officers



**Officers Ecclesiastical.** Vid. *Oaths*, 6.

**Officials.** Vid. *Forgery*, 4.

**Onus Probandi.** Vid. *Ireland*, 14.

**Ozan.** Vid. *Parish Churches*, 16.

**Orchards.** Vid. *Hedge-breakers*, 1. *Wood*, 15.

**Orders.** Vid. *Clergy*, 5. *Felony*, 54. *Sheriff*, 49.

### Ordinance.

10 H. 7. c. 12.

**NONE** to keep Ordinance in his House or Place, on pain of 20*l.* without Licence.

Vid. *Fire Works*, 3. *Treason*, 4.

### Ordinaries.

13 E. 1. c. 19.  
Eng.

**WHERE** an Intestate dies in Debt, and the Goods come to the Ordinary to be disposed, the Ordinary to satisfy the Debts as far as the Goods extend, as an Executor would do.

18 R. 3. St. 3. c.  
6. Eng.

Temporal Judges not to make Enquiry of Process awarded by the spiritual Judges.

Vid. *Administrator*, 1, 2, 4, 5. *Advowson*, 9. *Bastard*, 3. *Bigamy*,

1. *Citation*, 5. *Clergy*, 1, 2, 7. *Fees*, 1. *Incontinency*, 1. *Inventories*, 1. *Lapse*, 1. *Tithes*, 5. *Uniformity*, 4.

**Ordination.** Vid. *Bishop*, 5. &c. *Uniformity*, 26.

**Ore.** Vid. *Servants*, 18.

**Originals.** Vid. *Error*, 11. *Prisoners*, 2.

### Ormond.

7 Geo. 1. c. 22.  
Eng.

**CHARLES** Earl of *Aran* declared Purchaser of all the forfeited Estates of *James* late Duke of *Ormond* in *Ireland*, for 50,000*l.*

2 Geo. 1. cap. 8.

The Treasurer of *Ireland*, to pay 10,000*l.* to any Person who shall secure dead or alive the Person of said Duke, attempting to land in this Kingdom.

Vid. *Attainder*, 11. *Forfeiture*, 6, 7, 8, 9. *Letters Patents*, 14.

**Ornaments.** Vid. *Gold*, 4. *Religious Houses*, 1. *Uniformity*, 9.

**Orters.** Vid. *Game*, 19.

**Ovens.** Vid. *Hearth-Money*, 14.

**Overseers.** Vid. *Grand-Juries*, 7. *Highways*, 12, 26, 27. *House of Correction*, 10, 11.

**Ouncels.** Vid. *Auncels*.

**Ounbeg.** Vid. *Rivers*, 22.

**Ousterlemain.** Vid. *Court of Wards*, 1.

**Out**

## Outlawries.

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- 1 **N**O Outlawries or Attainders shall be reversed by Error in Form or Matter, nor shall any Pardon invalid the same. 9<sup>th</sup> Gul. 3. Sess. 1. c. 30.
- 2 Papists guilty of Rebellion, who shall be found to have died, or were slain in Rebellion before *October*, 1691, shall be convicted and attainted of High-Treason, &c.
- 3 Not to prejudice Persons who were Protestants before *April*, 1689, deriving under such Papists, or claiming any Incumbrance on their Estate.
- 4 The Lord Chancellor, &c. to issue Commissions to Escheators, &c. to enquire of the Estates of Papists dying in Rebellion, before *October*, 1691.
- 5 A Time limited for Persons to put in their Claim in one Year after said Inquisition returned, and said Inquisition may be avoided upon Traverse, and the Party restored, if Verdict be found for him.
- 6 A Saving for Infants, Fem-coverts, &c. so that they claim in a Year after the Impediment removed.
- 7 Persons in the *French King's* Dominions since *April*, 1689, and that shall return without Licence under the Great Seal after the 23d of *October*, 1697, adjudged guilty of High-Treason, &c.
- 8 No such Licence to be good, without the Names, Additions, and Place of Abode expressed.
- 9 No Licence to be granted without a Recognizance to pay 40 s. yearly to the Bishop of the Diocese for a School.
- 10 And all that returned since *October*, 1691, to surrender themselves to one of the Judges or Barons, and to take the Oaths, (*which see in Tit. Oaths, 5.*) or enter into Security to depart the Kingdom in 20 Days, and never to return without such a Licence, as *Ante*, 7. on pain of a *Premunire*.
- 11 A Saving for all the Estates of Protestants, and for the Earl of *Tyrone*, named *James Power*, Lord *Kerry*, Lord *Kingston*, Lord *Lowth*, *Edward Keating* of *Narramore*, *John Bellew*, Lord *Baltimore*, *Robert Fielding*, Earl of *Carlingford*, *James Taese*, *Nicholas French* of *Abbart*, Lord *Athenree*, Col. *Kelly*, *Richard*, late Earl of *Tyrone*, Lord *Dillon*, Lord *Nettervil*, *Edward Geohagan*, *Patrick Sarsfield*, *Henry Crofton*, *Barnaby*, Baron of upper *Offery*, *Thomas Nugent*, &c. but that all their Outlawries may be reversed, as the King shall think fit.
- 12 The King may pardon the Life of any Person, notwithstanding his Outlawry.

Vid. *Accounts*, 2. *Addition*, 2. *Attorney*, 7. *Bail*, 1. *Exigent*, 1. *Identitate Nominis*, 1. *Limitation*, 8. *Premunire*, 1. *Proclamation*, 7, 8. *Treason*, 7.

**Owners.** Vid. *Customs*, 20, 30. *Ships*, 1. **Oxen.**



**Open.** Vid. *Butcher*, 2, 3. *Felony*, 27.

**Oper.** Vid. *Return of Sheriffs*, 2.

**Oper and Terminer.** Vid. *Abatement*, 7. *Discontinuance*, 2.

**Oil.** Vid. *Customs*, 11, 75. *Ships*, 9, 12. *Rape-Oil*. *Sunfish*.

**Opsters.** Vid. *Fish*, 23.

**Packet Boats.** Vid. *Customs*, 115.

### Painfort and Dure.

**NOTORIOUS** Felons which refuse lawful Trial, shall suffer strong and hard Imprisonment.

**Pains and Penalties.** Vid. *Forfeitures*.

**Palatines.** Vid. *Aliens*, 9.

**Pales.** Vid. *Hedge-breakers*, 1.

**Palisades.** Vid. *Felony*, 61.

**Palls.** Vid. *Bishop*, 7.

**Panicles.** Vid. *Ireland*, 8.

**Pannets.** Vid. *Affize*, 12. *Jurors*, 6.

**Paper.** Vid. *Wooll*, 20.

### Papists.

**BY** this Act, Papists were to deliver up their Arms to some Justice of Peace, &c. before the first of March next after the making this Act; and Justice of Peace, &c. were to search in Day-time for the same, and deliver them into the King's Stores.

Peers, &c. refusing, to forfeit 100*l.* and under that Degree 30*l.* to the King and Prosecutor, and the second Offence, a *Premunire*.

A Saving for Persons under the Articles of *Limerick*, they might keep a Sword, Pistols and Gun, if they submitted to the King, and taken the Oaths.

The Lord Deputy and Council may licence Papists to carry Arms, being particularly expressed in such Licence, paying 1*s.* only.

No Maker of Locks, Barrels, Fire-Arms, Sword, &c. to take a Papist for his Prentice, on pain of 20*l.* on the Master and Prentice, and the Indenture, &c. to be void; and † Justices of Peace to tender the Oaths to Prentices suspected, and his Refusal shall be a Conviction.

Any Protestant, on Application to the Justices of the Peace, tendering 5*l.* 5*s.* for any Horse, † Mare, or Gelding in the Possession of a Papist, shall be vested with the Property thereof; and Papists are prohibited to keep Cattle of that Price.

Con-

- 7 Concealing such Horses, &c. and refusing to take the Oaths, &c. he shall forfeit treble the Value of such Horse, and 3 Months Imprisonment, without Bail.
- 8 Persons refusing the Oaths tendered by any Justice or Justices of Peace, to be deemed a Papist.
- 9 Justices of Peace, &c. refusing to execute this Act, to forfeit 50 l. and be incapable, &c.
- 10 All Popish Bishops, Jesuits, Monks, Fryars, Regulars, &c. and all Dignitaries to depart the Kingdom before the 1st of May, 1698, and those found after that Day, to be transported, and returning from Transportation, guilty of High-Treason. *Post, 62.*
- 11 No Popish Archbishop, &c. to come into this Kingdom, on pain of 12 Months Imprisonment, and Transportation, and High-Treason on his Returning.
- 12 Persons concealing or entertaining such Bishops, to forfeit 20 l. and the third Offence, all his Goods, &c. and real Estate for Life, the Moiety not exceeding 100 l. to the Informer, the rest to the King.
- 13 Justices of Peace, on Information upon Oath, may summon Persons concealing such Bishops, &c. and examine the Matter, and cause the said Penalties of 20 and 40 l. to be levied on his Goods, if guilty.
- 14 None to bury in suppressed Monasteries, where divine Service is not used, on pain of 10 l. from any present at such Burial, by a Justice of Peace; a Moiety to the Informer, the other to the Minister and Church-Wardens.
- 15 Appeal lies from the Justice of Peace to the Assizes or Quarter-Sessions, and all Justices of Peace to issue their Warrants from Time to Time, for apprehending Popish Bishops, &c. and make a Report to the Sessions.
- 16 Justices of Peace, &c. neglecting, to forfeit 100 l. a Moiety to the Informer, and be disabled of being a Justice of Peace for ever after.
- 17 Any Popish Clergyman coming into the Kingdom, their Harbours, &c. to be subject to the said Penalties, &c.
- 18 All civil Officers are required to apprehend such, and Justices of Peace neglecting, to forfeit 100 l. and be disabled, as *Ante.*
- 19 Such Popish Clergymen coming into the Kingdom, may be tried in any County. *This Act is made perpetual, by 8 An. c. 3.*
- 20 The Court of Chancery may, on Complaint by Bill, make an Order for the Maintenance and Portion of any Child of Popish Parents embracing the Protestant Religion, suitable to the Degree of the Parent. The Portion to be paid after the Death of the Parent.

F f

Where



## Papists.

Where the Son and Heir of a Papist shall become a Protestant, 21  
the Father shall be Tenant for Life of his Estate real, whether  
seized in Fee or in Tail, and the Reversion in Fee to be in such  
Son, subject to just Debts, Portions, &c. not exceeding a Third  
of the Value of the Inheritance, all voluntary Settlements, &c. by  
such Parent, deemed void.

Distinct Rolls to be kept in *Chancery* for Inrolment of the Cer- 22  
tificates of Converts.

No Papist shall be a Guardian, on pain of 500 l. to the *Blue-coat* 23  
*Hospital*, but the *Chancery* to dispose of Children to Protestant  
Guardians, 22.

Where the Father or Mother is a Protestant, the *Chancery* may 24  
order the Education of their Children.

*Post, 57, 59.* Papists are disabled to purchase any Lands, &c. except Terms 25  
for 21 Years, two Thirds of the improved Rent at the Time of  
making to be reserved, and all other Estates (except such Lease)  
shall be void.

No Papist of the Age of 18 Years shall take the Profits (by De- 26  
scant, or by any Devise, Gift, Remainder or Trust, &c.) of any  
Lands, &c. whereof a Protestant is, or shall be seized, the Free-  
hold of which is to come to the Son, or Issue in Tail of such  
Papist, unless such Papist become a Protestant in 6 Months after  
his Title accrued, or 6 Months after coming to 18 Years of  
Age.

The next, or other Protestant Relation, and his Heirs, &c. con- 27  
tinuing Protestants, who would be entitled to the same, if said  
Papist, and all other Popish Relations were dead, shall enjoy said  
Lands, &c. and not be accountable for Profits, subject to just  
Charges, and Maintenance for the Children of said Papist.

*Post, 68.* Children of Papists deemed Papists, till they conform to the 28  
Church.

Or any Papist becoming a Protestant may enjoy said Lands, as 29  
if he had been a Protestant at the Time the Disability fell, and  
may Lease for 21 Years, at the improved Rent, and execute any  
Power the disabled Papist may.

But the said disabled Papist may bring an Action for wilful 30  
Waste.

This Act no Bar of Dower to a Protestant Wife. 31

The Lands, &c. of all Papists, seized in Fee-simple or Tail, 32  
shall descend in the Nature of Gavel-kind to his Issue and Colla-  
terals, notwithstanding any Grant or Disposition (Alienations,  
*bona fide*, in his Life excepted) subject to Portions for Daugh-  
ters.

If

## Papists.

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- 33 If the eldest Son or Heir at Law of such Papist, from whom Lands are to descend in Gavel-kind, be a Protestant at the Death of such Papist (tho' his Certificate not inrolled) or being a Papist and shall become a Protestant within one Year after he arrives at 21, he shall have the whole real Estate, subject to Debts and younger Childrens and Daughters Portions; but said Lands are not to descend from a Protestant in Gavel-kind.
- 34 All the Incumbrance that charged the Estate of a Papist before February, 1703, was to be inrolled in the *Exchequer* before June, 1704, and all Incumbrances after to be inrolled therein 6 Months, or in Default, shall not be charged whilst in the Hands of a Protestant.
- 35 None to take Benefit as a Protestant, that does not conform to the Church, and take the Oaths and subscribe the Declaration.
- 36 No Papist to take or purchase a House, &c. in *Limerick* or *Galway*, except for Fishermen, at 40 s. per Annum.
- 37 All Advowsons of Papists vested in the Crown, till they or Heirs become Protestants.
- 38 Pilgrimages to *Patrick's Purgatory*, and Assemblies at Wells, deemed Riots, and each Person to forfeit 10 s. before a Justice of Peace, or in Default, to be sent to the Constable to be whipt.
- 39 Persons building Booths, or selling Ale at such Wells, to forfeit 20 s. before any Justice of Peace. Magistrates to demolish Crosses, Pictures, and Popish Superstitions.
- 40 By this Act Popish Priests were to register their Names, Place of Abode and Parish, at the Sessions at *Midsummer* 1704, or in Default, to be committed to Goal till transported, and if they returned, to be guilty of High-Treason. 2 An. Sess. 1. c. 7. expired.
- 41 Popish Priests found in this Kingdom not registered, pursuant to the above last Act, to be subject to the Penalties on popish Bishops, &c. 2 An. Sess. 2. c. 2. ante, 11.
- 42 Magistrates neglecting to execute this Act, to forfeit 50 l. This Act is made perpetual by 8 An. c. 3.
- 43 Papists are disabled from taking Annuities for Life, or for Years determinable upon Lives, but may have Judgment against the personal Estate only for such. 8 An. c. 3.
- 44 The Child of a Papist conforming to the Church, the Parent shall discover the real Estate on Oath on a Bill, and the *Chancery* may make Orders for the Maintenance and Portion of such Child, not exceeding a Third of the Estate, and may augment the same upon a new Bill after a former Decree, or dismiss such Bill with Costs, if Vexatious. Ante 20.
- 45 Fines, Recoveries, &c. by Papists since January 1703, to bar a Protestant in Remainder or Reversion, declared void, (except Conveyances



veyances and Mortgages *bona fide*;) and the Protestant in Remainder to have the Equity of Redemption of such Mortgage.

No Papist Convert to be deemed a Protestant till he receive the Sacrament, and that in 6 Months after filing the Bishop's Certificate, or if under 18, in 6 Months after he arrives at 18, and take the Oaths, subscribe the Declaration, and file a Certificate thereof.

† *Post*, 70.

Converts being in Offices, Members of Parliament, Barristers, Attornies, Solicitors, to breed their Children above 14 (at the Time of conforming) Protestants, or in Default to be incapable. *This not to extend to Constables*

The Court of Chancery may carry the Power of a Papist reserved to make a Jointure into Execution, if the Widow become a Protestant.

The Protestant Widow of a Papist may, by Bill in Chancery, have a Third of the Inheritance, and personal Estate of her Popish Husband, notwithstanding any Disposition made by him to the contrary, she not being otherwise provided for.

Thirty Pounds *per Annum* to be allowed, to be raised by the Grand-juries for Popish Priests conforming in seven Years after 1709.

A Priest keeping a Curate they shall both be prosecuted as Regulars.

Fifty Pounds Reward is given for the apprehending Popish Archbishops, &c. exercising any foreign Ecclesiastical Jurisdiction, and 20 *l.* for Regular and Secular Clergy not registered.

*Vid. Schools*, II.

Two Justices of Peace (*quorum unus*) may summon any Papist above sixteen Years, and examine him where he heard Mass, when and by whom, and the Residence of Regulars, &c. and refusing to appear or answer, to be imprisoned for a Year, or pay 20 *l.* to the Poor. Examinations given on this Act shall be for such Offences only as were committed in 30 Days before, and the Examinant is discharged of any Penalty on himself.

Registered Priests were to take the Oath of Abjuration before 1710, or to incur the Penalties of a Regular.

† *Post*, 67.

Any † two Justices may summon any Man above sixteen Years to take the Oath of Abjuration, and on Refusal to be committed to Goal for three Months, or pay 40 *s.* and is after incapable of a Licence to carry Arms; on a second Summons to be imprisoned for six Months, or pay a Sum not exceeding 10 *l.* nor under 5 *l.* and give Security to appear at the next Assizes (and the Oath then tendered to him) on refusing it he shall be guilty of a *Præmunire*.

*Popish*

- 56 *Papish* Priests not to officiate but in the Parish where register'd.
- 57 All Collateral Securities or Mortgages made, &c. to make good any Lease or Conveyance to a *Papist*, contrary to the 2 *Ann. c. 6.* as *Ante, 25.* shall be void to such *Papist*; and any *Protestant* may sue *Post, 59.* for all Lands, &c. convey'd, &c. to *Papists*, contrary thereto, and for all such Collateral Securities, by Action founded on this Act; and shall have a Decree, &c. for the same, and enjoy the same according to the Estate of such *Papist*, subject to just Incumbrances, and the same Benefit as the *Papist* might have had of such Collateral Securities.
- 58 *Papists* who purchased any Lands, &c. (except those sold by the Trustees) who became *Protestants* before the Year 1709, are indemnified; *Protestant* Purchasers *bona fide* not prejudiced.
- 59 Any *Protestant* may prefer a Bill for Discovery of any Sale, *Ante, 25, 57.* Lease, &c. against any Person privy to, or Trustee for a *Papist*; and no Plea or Demurrer allowed to such Bill: All Issues on this Act to be tryed by *Protestants*; and Defendant's Answer to be Evidence against him. *† Vid. Challenge, 6.*
- 60 Bishops, &c. and all Regulars and Seculars, offending, to be transported by Justices of Assize or Justices of Peace in Sessions.
- 61 Collector on Pain of 30 *l.* not to discharge a Ship till the Master, &c. consent to take such Bishop, &c. or *Papish* Schoolmaster on board to be transported; and said Collector, &c. to pay 5 *l.* for each of them, to the *West-Indies*, and 3 *l.* to other Places in *Europe*.
- 62 The Master, &c. to enter into a Recognizance of 50 *l.* to transport them to places out of the King's Dominions; and if said Persons are found out of the Custody of the Master, &c. he shall be punished as if banished and *† returned.* *† Ante, 10.*
- 63 Stud *†* Mares and Stallions in the Possession of *Papists* are excepted out of the Act 7 *Geo. 3. c. 5.* except in Case of an Invasion. *† Ante, 6.*
- 64 When the Horse, &c. seized from a *Papist*, is ordered to be returned, he must first pay 6 *d.* per Night, for his keeping.
- 65 No *Papist*, except in the Case of the Linen-Manufacture, shall take above two Apprentices at a time, and not for less than seven Years.
- 66 A Saving in this Act for Col. Lutterel and Oliver Martin, both *Papists*.
- 67 Every Justice of Peace may tender the Oath of Abjuration to *Papists* or suspected Persons. *2 Geo. 1. c. 9. Ante, 55.*
- 68 Children of *Papists*, bred *Protestants* from the Age of 12, to be deemed *Protestants*; provided after 18 they appear not at Mattins *6 Geo. 1. c. 6. Ante, 28.*  
or



**Papists.**

or Vespers, &c. of the Church of Rome; if they do, they are liable to *Popery*.

1 Geo. 2. c. 20.

A Convert, or Child of *Popish* Parent or Parents, applying to be call'd to the Bar, must prove before the Judges, or any 2 of them, the Lord Chancellor or one of the Chief to be of the *Quorum*, That he has been a *Protestant* for 2 Years next before.

Ante, 47.

Barristers, &c. and all other Persons converted from *Popery*, and also all *Protestants*, to breed their Children *Protestants*, or to be subject to the Incapacities of *Papists*.

None to be a Sub-Sheriff who was not a *Protestant* for 5 Years before. (Vid. *Solicitors*, 4.)

A Saving for Solicitors comprized in the Articles of *Limerick* or *Galway*.

1 Geo. 1. c. 47.  
Eng.

*Papists* inlisting in the Army in *Ineland*, to be punished as a Court Marshal shall think fit.

Vid. *Challenge*, 6. *Crown*, 9. *Education*, 9. *Forfeited Estates*, 7, 8, 9. *Game*, 4. *Grand-juries*, 5. *Marriages*, 4. *Militia*, 3, 10, 11, 14, 19. *Outlawries*, 2. *Parish-churches*, 54. *Parliament*, 25, 37, 51. *Premunire*, 3. *Religion*, 8. *Schools*, 6, 8, 10, 11, 12. *Solicitors*, 4, 5, 7, 23. *Tories*, 1. *Watches*, 10, 16.

**Parchment.** Vid. *Collector*, 2.

**Pardon.**

2 E. 3. c. 2.  
Eng.

**N**O Pardon for Murder, Felonies, &c. to be granted, but where the King may do it, saving his Oath; and where one killeth another in his own Defence, or by Misadventure.

10 E. 3. c. 3.

Persons pardoned are to find Surety for their Good Behaviour, which is to be returned into *Chancery*.

13 R. 2. c. 1.  
Eng.

In a Pardon, the Offences committed shall be specified; and no Pardon of Treason or Felony shall pass without Warrant of the Privy Seal: If the Offence be found Wilful Murder, the Pardon shall not be allowed. Vid. 16 R. 2. c. 6.

Vid. *Exigent*, 1. *Fees*, 26. *Felony*, 18, 22, 30, 54. *Ireland*, 1. *Limerick*, 6. *Outlawries*, 1. *Provisors*, 9, 10. *Sheriffs*, 13. *Treason*, 14. *Wooll*, 13.

**Parents.** Vid. *Education*, 10. *Papists*, 24, 69. *Women*, 3.

**Parish.** Vid. *Bows*, 4. *Constable*, 3. *First-fruits*, 23, 24. *Highways*, 1, 4, 14, 15. *Tories*, 22.

**Parish.**

## Parish Churches.

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- 1 **T**HE Bishop of Cork, &c. by Consent of the Majority of the *Pro-* 2 An. Sess. 1.  
*testant* Inhabitants, may build new Churches in the Parishes of *Fanlobus* and *Kilmacomoge*, in more convenient Places than where the  
old ones are. c. 11.
- 2 The Church of *Drumaul* to be removed to *Drumore*, in the  
Diocess of *Conor*, near *Randalstown*.
- 3 The Church of *Finvoy* to be built on the Estate of *Benj. Gal-*  
*land*.
- 4 A new Parish-Church to be built in *Killead* Parish, when a  
Piece of Ground is set out for it.
- 5 The Parishes of *Kilcomon*, *Robeen* and *Tokeen*, in the Diocess of  
*Tuam*, to be united and made one Parish; the Bishop, without Li-  
cense of *Mortmain*, may convey Lands to build the Church and  
House for the Parson.
- 6 The Parishes of *Aglish* and *Ilandin*, Rectory of *Drumrany*, *Breagh-*  
*wy* and *Turlogh*, to be united and called *Aglish*, alias *Castle-Barr*.
- 7 *Ballywater*, *Ballyhabert* and *Inishargy*, in the Diocess of *Down*, to  
be united, the Church to be built at *Inishargy*, the Presentation in  
*Sir Hans Hamilton*.
- 8 A new Church to be built at *Rings-end*, on the Ground given by  
*Lord Merion*.
- 9 Bishop of *Dublin* may erect the Abbey of *Arclow* into a Parish-  
Church. *This a publick Act.*
- 10 The Union of *Tynan* and *Derrynoose*, is dissolved and made distinct 8 An. c. 13.  
Parishes, the Presentation to both in the Bishop of *Ardmagh*, and  
a new Church to be built on *Derrynoose*.
- 11 A new Church to be built for the Parish of *Kilevy*, by the Con-  
sent of the Bishop of *Ardmagh*.
- 12 The Territory of *Tartaraghan* in the County *Ardmagh*, is hereby  
made a Parish, and a new Church to be built for it, *Alexander*  
*Sband* appointed first Rector; and the Tythes, &c. of *Chantlew*,  
*Breagh*, *Eglisb*, *Bullinery*, *Derilee*, *Taglogh*, *Deniah* and *Derryene*,  
granted by *Francis Obre*, to be vested in said Rector, &c. and also  
the Tythes in said Precinct, to which *Lord Charlemount* and *Arthur*  
*Brownlow* are entitled.
- 13 The Right of Presentation vested in *Lord Charlemount*, *Francis*  
*Obre*, *Arthur Brownlow*, and Bishop of *Ardmagh*, alternately.
- 14 The Incumbent and Parishioners of *Arboe* may build a new  
Church on *Aghasollum*, or else where more convenient, said Parishes  
may be apploited for Repairs. *This a publick Act.*
- 15 The Bishop of *Elphin*, &c. may unite the Parishes of *Kilkeevin*, 9 An. c. 12.  
*Baslick*, and *Ballintober*, the Church at *Castle-Reagh* to be the Mother  
Church.

Bishop



## Parish-Churches.

Bishop of *Elphin*, &c. to unite the Parishes of *Oran* and *Drum-temple*, and rebuild the Church of *Oran*, and to be the Parish-Church.

Bishop of *Leighlin*, &c. by Consent may unite the Parishes of *Tullomagmagh*, *Ballynecarrig*, *Ballyerogie* and *Kellystown*, the new Church at *Staplestown* to be the Parish-Church.

The Parish-Church of *Churchtown*, in the Diocese of *Cloyne*, may by Consent, be removed to a more convenient Place.

The Bishop of *Cloyne* may, by Consent, unite the Parishes of *Ballyoughtra*, *Mogely*, and *Cahirulton*, and be called the Parish of *Cassile Martyr*, where a new Church may be built, and *Henry Boyle* may convey Ground for it.

Bishop of *Cloyne* may divide *Inister*, *Matby*, *Garrycloin* and *Granagh*, into two Parishes, and may build another Church.

Bishop of *Cloyne* may, by Consent, build a more convenient Church in the Union of *Aghada*.

Bishop of *Waterford* may, by Consent, build a new Church in the Parish of *Kilwatermoy*.

Bishop of *Kilmore* may, by Consent, build a new Church at *Mogh*, in the Parish of *Carrowgallen*.

The Rector and Parishioners of *Drumgagh*, in the Diocese of *Drumore*, may, by Consent, build a new Parish-Church at *Shankill*.

The Inhabitants of *Kilmore* and *Kilcomin* may, by Consent, build a new Parish-Church at *Drumclet* and Town of *Broadhaven*.

The Church of *Coot-hill* in the Diocese of *Kilmore*, shall be the Parish Church of *Drumgoone*.

The Bishop of *Tuam* may, by Consent of Patron, &c. unite the Parishes of *Kiltullagh*, *Knockamagh*, *Becan*, *Aghamore* and *Templetogether*, and a Church to be built at *Ballinlogh*, the Parish to be called *Kiltullagh*, and *Jos. Mitchell*, may convey 20 Acres of Land for a Glebe.

Bishop of *Ferns* may unite the Parishes of *Kilmichalogue*, *Killmechue* and *Killhavan*, and be called the Parish of *Newborrough*.

The Church of *Drumenagh*, shall be the Parish-Church of *Ennis Mc. Saint*, in the Diocese of *Clogher*.

Bishop of *Meath* may build a more convenient Church in the Parish of *Slane*.

Bishop of *Elphin* may unite the Parishes of *Cain* and *Killtome*, and a Church to be built on *Milltown-pass*, *Luke Dillon*, *Edward* and *John Kelly*, first conveying Lands for it; and also the Parishes of *Killbegnets*, *Ballynekill*, *Killcroan*, and *Donamon*, and be called the Parish of *Donamon*.

## Parish-Churches.

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- 32 The Inhabitants of *Killofolan*, may, by Consent of, &c. build a Church on *Capavarogy*, near *Castle-Blackney*, and be the Parish-Church of *Castle-Blackney*, *Robert Blackney* first conveying two Acres of Land for it.
- 33 Bishop of *Clonfert*, by Consent, may unite the Parishes of *Ballymackward* and *Clonkeen*.
- 34 Bishop of *Meath* may constitute the Church of *Kilpatrick*, to be the Parish-Church of *Drakestown* and *Knough*.
- 35 The Church of *Castle-Bellingham* to be the Parish Church of *Kil-laran*, Diocese of *Ardmagh*.
- 36 The Scites of all said Churches to be fenced at the Charge of the Parishes, the Materials of old Churches may be used for building new Churches. *This a publick Act.*
- 37 An Agreement made between several Patrons of united Churches inrolled in *Chancery*, shall bind the Parties and their Heirs, &c.
- 38 By a Clause in this Act, the Chief Governor, &c. to the 24th <sup>2 Geo. 1. c. 14.</sup> June, 1727. might divide or unite Parishes, and unite Benefices <sup>Post, 51, 65.</sup> with Cure to a Dignity without Cure.
- 39 The Chief Governor, &c. may, by Consent of Patrons, &c. direct new Churches to be built in more convenient Places, the Expence to be assessed by Vestry on the Parish, the Chancel to be repaired, by those who repaired the Chancel of the old Church. <sup>Post, 57.</sup>
- 40 The Removal of a Church not to alter Patronage.
- 41 The Chief Governor, &c. may divide the Turns of the Patronage of united Parishes, or of Benefices united to a Dignity, the Patrons consenting, but the King to have the first Presentation where he had a Right before the Union. <sup>Vid. Post, 65.</sup>
- 42 The Proprietor of an Improprate Rectory, being Patron of a Vicarage, shan't be prejudiced in his Right of Impropration, by presenting by Turns after any Union.
- 43 Divisions and Unions made by this Act, to be inrolled in *Chancery* in six Months, the Fee is 13 s. 4 d. for such Inrolment.
- 44 Archbishops, &c. and all Dignitaries, may endow Vicarages with Glebes or Tythes, or augment Endowments, (Vid. *Glebes*, 15.)
- 45 The Repairs of the Chancel to be made rateably, where improprate or appropriate Rectories have been united by this Act, and the Improprator only to contribute in Proportion, to the Maintenance of a Curate.
- 46 No Union made by Vertue of † 14 Car. 2. c. 10. in Cities, &c. † <sup>Expir'd:</sup> shall be dissolved by this Act, unless the Parish-Church lies three Miles from another Parish united thereto; † <sup>Post, 56.</sup> This Clause is repealed by 1 Geo. 2. c. 19.
- 47 The Lands called the *Burgery* of *Cloyn*, are hereby annexed to the See, and 26 l. per Annum, granted to the See of *Dublin*, out of the



## Parish Churches.

the Lands of *Ballycroneen* and *Ballycotten* for ever, in Lieu thereof, with Clause of Distress and Re-entry.

All Acts to be made for uniting, &c. Parishes, shall be deemed publick Acts.

By 10 Geo. 1. c. 6. this Act is to be in Force till the 2d February, 1733. further continued to the 25th March, 1740. by 7 Geo. 2. cap. 7.

6 Geo. 1. c. 13.

† Post, 58.

† Post, 59.

Where the Inhabitants have † six Mile to come to the Parish-Church, the Bishop, &c. may build † a Chapel of Ease, and the Incumbent shall pay a Curate, not exceeding the sixth Part of the Profits of the Parish, and to be repaired at the Charge of the whole Parish.

10 Geo. 1. c. 6.

Ante, 38.

The Chief Governor, &c. may, by Consent, unite or appropriate any Benefice with Cure, to a Dignity with Cure, as well as to a Dignity without Cure; and the Act of the Vestry giving Notice two Sundays before, shall be deemed the Consent of the Parish.

Post, 57.

The Consent of the King (where the Patronage is in him (under the sign *Manuel*, shall be as good as the Great Seal, if inrolled in six Months.

This Act is in Force to the 2d Day of February, 1733. farther continued to the 25th March, 1740. by 7 Geo. 2. cap. 7.

12 Geo. 1. c. 9.

By this Act *Papists* are made incapable of voting in a Vestry for the Repairs of a Church.

Money assess'd in Vestries for Repairs, shall be levied by Warrant from two Justices of Peace, by the Church-Wardens, Appeals to the Sessions from such Assessments.

1 Geo. 2. c. 19.

Ante, 46.

Parishes united in Cities, by 14 Car. 2. c. 10. liable to the same Divisions, &c. as other Parishes.

Ante 39, 52.

Where new Churches are to be built, where the King is Patron, pursuant to 2 Geo. 1. c. 14. the Consent of the Chief Governor inrolled, is as sufficient as the King's.

1 Geo. 2. c. 22.

Ante, 50.

The above Distance from the Parish-Church as Ante 50. is hereby abridged to five Miles, and so as the said Inhabitants live not above two Miles from any other Church, and Curates to be appointed, as Ante, 50.

And where Parish-Churches in *Dublin*, are too small, the Bishop, &c. by Consent of Vestry, may build a Chapel of Ease, as Ante, 50.

Annual Rents may be charged by the Bishop, by Consent of the Incumbent, on the Pews, in all such Chapels, for the Repairs thereof, and may be distrained for as Minister's Money is (Vid. *Ministers*, 2.)

3 Geo. 2. c. 11.

The Inhabitants or Occupiers of Land within the several Parishes, are made liable by this Act to repair the Mother-Church of any Episcopal Union, till their own Church be repaired, and two Church-Wardens to be sufficient for the whole.

A Method of holding Vestries, and collecting Parish-rates for Repairs of Churches; and directs, that the Church-Wardens may

## Parish Churches.

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be sued by their Successors for the Money applotted or collected (by civil Bill, &c.) and the Applotment signed by the Minister, &c. shall be Evidence to charge the Defendants.

63 Defendants on their Account before the Minister, &c. to be allowed Money paid, laid out, or not collected by reason of Poverty, &c. to be sworn thereto before a Justice of Peace, and may appeal to the Sessions who shall determine the same, and give 40*s.* Costs, and issue Execution for the same by Warrant to distrain, &c.

64 Churches united by Charter of the Crown, to be repaired in the same manner.

65 A Doubt arising on said Act, *ante*, 38. whether the chief Governor may divide and unite the Glebes as well as the Parish Churches, &c. by this he has Power given him to divide or unite the Glebes belonging to them as well as the Parishes by the like Consent, and in manner as by said Act, and all Divisions and Unions of Glebes made, or to be made, are hereby confirmed.

Vid. *Adowson*, 10.

**Parish Dues.** Vid. *Tythes*, 23.

**Parish Celles.** Vid. *Dublin*, 33. *Parish-Churches*, 55, 62.

**Parish Clerks.** Vid. *Tythes*, 23.

**Park.** Vid. *Forest*, 2. *Partition*, 19. *Felony*, 64.

## Parliament.

1 **BY** these two Acts a Parliament is to be holden once a Year, and by the first oftener if need be. 4 E. 3. }  
6. 14. } Eng.  
36 E. }  
3. c. 10. }

2 This Act directs the Manner of electing Knights of the Shires by the King's Writ, and the Return of Sheriffs annexed thereto. 7 H. 4. c. 15. }  
Eng. }

3 Persons elected Members of Parliament shall be Resident where chosen (*N. B. There was an Irish Stat. to this Purpose, but was repeal'd by 18 E. 4. c. 2. Irish, and that was again repeal'd, by 33 H. 8. Sess. 2. c. 1. Irish, See the Preamble to the 18 E. 4. c. 2. Irish.*) 1 H. 5. c. 1. }  
Eng. }  
Post, 16. }

4 Election of Knights of the Shire to be made by a majority of Voices resident in the County, having 40*s.* per Annum in Lands, &c. and the Sheriff has Power to administer an Oath, and Sheriffs acting contrary to this, to forfeit a 100*l.* to the King. 8 H. 6. c. 7. }  
Eng. }  
Post, 17. }

5 This Act requires, that Electors of Knights of the Shire shall have 40*s.* per Annum Freehold beyond Reprizes. 10 H. 6. c. 2. }  
Eng. }

6 This Stat. was made for assessing the Allowance for Members of Parliament, and a Writ for that Purpose was directed to the Sheriff, (*N. B. But it does not mention the Quantity.*) 23. H. 6. c. 11. }  
Eng. }



- 23 H. 6. c. 15. *Eng.* After the Receipt of the Writ, the Sheriff is to deliver Pre- 7  
*Post*, 44. cepts to every Mayor, Bailiff, &c. of Cities, &c. commanding  
 them to make Election of Members, and return by Indenture be-  
 tween them and the Electors, Head-Officer making false Returns  
 † *Post*, 46. to forfeit † 40 l. to the King and 40 l. to the Person chosen and  
 not return'd, and the Sheriff acting contrary to this, or said for-  
 mer Acts, to forfeit ¶ 100 l. to the Party, to be prosecuted in 3  
 ¶ *Post*, 47. Months, or on default thereof, any Person may bring his  
 Action for the same.
- 25 H. 6. c. 8. No Lords of Parliament, to be amerced in Pleas but as other 8  
 Persons are.
- 3 E. 4. c. 1. Lords and Commons of Parliament to be privileged against 9  
*Post*, 26, 41. Actions 40 Days before and after the Parliament finished.
- 10 H. 7. c. 4. No Parliament, to be holden in Ireland till the Cause be first cer- 10  
*Post*, 18. tified by the Lord Lieutenant to the King, and affirm'd in Coun-  
 cil to be good, and the King's Licence first had to summon a  
 Parliament, otherwise to be void.
- 10 H. 7. c. 16. Lords spiritual and temporal to appear in their Robes as *English* 11  
 Lords do, on pain of 5 l. each.
- 28 H. 8. c. 4. All Acts passed in this Parliament relating to the King's Honour 12  
*Post*, 14. and Revenue, or the Welfare of the Land, are confirm'd (*non ob-*  
*stante, the Stat. 10. H. 7. c. 4.*)
- 28 H. 8. c. 12. Proctors shall be no Members of Parliament. 13
- 28 H. 8. c. 20. The said Stat. of 28 H. 8. c. 4. *Ante*, 12. is hereby confirmed, 14  
 and 'tis made Felony to impeach this Act.
- 33 H. 8. *Sess.* 2. All Statutes made for restraining Parliaments to be held any where 15  
 c. 1. but *Dublin* or *Drogheda*, and for restraining the proroguing of Parlia-  
 ments above twice, declared void.
- Ante*, 3. Members of Parliament to be Resident where chosen. 16
- Electors not having 40 s. *per Annum* Freehold, voting for a Mem- 17  
 ber of Parliament to forfeit 5 l. and Sheriffs, &c. returning Mem-  
 bers otherwise, to forfeit 100 l. and the Party return'd, 100 l.
- 3 & 4, P. & By this Act, the said Act of 10 H. 7. c. 4. *Ante*, 10. is ex- 18  
 M. c. 4. plained, saying, that the Considerations, &c. for calling a Parlia-  
*Ante*, 10. ment in *Ireland* be first certified to the King, and he send an An-  
 swer under the great Seal of *England*.
- The Lord Lieutenant during the Sessions may send all Acts to 19  
*England*; and such as return under the great Seal of *England*, and no  
 other may pass if agreed to by Parliament.
- 11 El. *Sess.* 2. c. All Acts made in this Parliament, returned under the great Seal 20  
 of *England* confirmed, notwithstanding the 10 H. 7. c. 4. *Ante*, 10.
- 11 El. *Sess.* 3. Any Act to be passed touching the Repeal of the 10 H. 7. c. 4. 21  
 c. 8. (*Ante* 10.) shall be void.

## Parliament.

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- 22 The Parliament called by King James II. in *Dublin*, declared to be no Parliament, but a rebellious Assembly, and all their Acts void. (N.B. *The Word Ireland not mentioned*.) 1 Gul. & M. Sess. 2. c. 9. Eng.
- 23 All the Rolls, Records, Writs, &c. of the said last Parliament, were by this Act ordered to be brought before the Lord Lieutenant in the Council-Chamber and cancelled; Officers concealing them, to forfeit 500 l. 7 Gul. 3. Sess. 1. c. 3.
- 24 And all Acts of Attainder, and all their Proceedings declared void from the Beginning.
- 25 No Papist to vote for a Member of Parliament without taking the Oaths of Allegiance and Abjuration at Sessions, but may be refused unless he tender a Certificate thereof from the Clerk of the Peace. 2 An. Sess. 1. c. 6. Post, 51.
- 26 Privilege of Parliament shall begin 40 Days before and after the Sessions, or Prorogation, and during the Sittings. 6 An. c. 8. antl, 9. post, 41.
- 27 Privilege shall not work any Discontinuance in Actions nor Limitation, nor shall it stand against a Distress for Rent. (Vid. Post, 39. *nor Ejectment for Rent.*) Post, 42.
- 28 No Privilege for Trustees, Guardians, Executors, &c. in Actions against them as such.
- 29 No Privilege allowed against the Debt of the Crown, but the Persons not to be arrested in Privilege-time. Post, 43.
- 30 All Conveyances made to qualify a Person to vote, shall be absolute, notwithstanding any Power of Revocation, Defeazance, &c. and the Donor (and Donee voting) to forfeit 40 l. to the Prosecutor. 2 Geo. 1. c. 19.
- 31 None to vote by Virtue of any Freehold not in Possession, or entitled thereto, or receiv'd the Profits 6 Months before the Election, unless within that time it came to him by Descent, Marriage-Settlement, Devise or Presentation, &c. on pain of 40 l. to the Poor and Prosecutor.
- 32 Freeholders voting, if required by the Candidates, or any other Person, to take the Oath. (*Which see in the Stat.*)
- 33 The Sheriff, &c. required to administer said Oath, and Perjury or Subornation therein punished as by *† 5 El.* Quer. If not 28 El.
- 34 The Places of the Voters Freehold and Abode, and Jurat to be enter'd with his Name, and the Poll-Book to be delivered on Oath before 2 Justices of Peace to the Clerk of the Peace, to be kept amongst the Records of the Sessions.
- 35 The Poll for the Shire shall be where the Assizes are held, but in *Com' Dublin* where the Sessions were last held, and the Sheriff not to adjourn without Consent of the Candidates, (except from *Saturday to Monday*.)
- 36 Where the Right of Election is in Inhabitants, none shall have a Vote that was not an Inhabitant continuing 6 Months before the Test of the Writ.

Papists



*Post, 51.* Papist, on pain of 100*l.* to the King and Prosecutor, not to vote, 37  
unless he hath taken the Oaths of Allegiance and Abjuration six  
Months before the Election, and shall at the Election, if required  
by the Sheriff, Candidate, or Voters, take the same.

No Candidate after the Test of the Writ to make or give any 38  
Reward, Entertainment, &c. to or for any Person or Places.

8 Geo. I. c. 2. No Privilege of Parliament shall stand against an Ejectment for 39  
non Payment of Rent, nor in Suit or Motion for an Estrepe-  
ment.

1 Geo. 2. c. 7. No Parliament shall be dissolved on account of the Demise of 40  
the King, but shall subsist for 6 Months after, unless in that time  
dissolved, &c. and the Parliament in being may convene on the  
Death of the King and act for 6 Months, unless dissolv'd as afore-  
said; and if there be no Parliament then in being, the Parliament  
that last sat may convene in manner aforesaid.

1 Geo. 2. c. 8. By this Act the Privilege of Parliament in all Actions is abridg- 41  
*Ante, 9, 26.* ed to 14 Days, but the Bodies are privileged from Arrests for 40  
Days, as *ante, 26*, but may proceed on the Process to a Sequestra-  
tion or Distress infinite.

*Ante, 27.* Privilege of Parliament shall work no Nonsuit, Dismiss, Discon- 42  
tinuance, or Bar in Limitation.

*Ante, 29.* None privileged against the King's Action but Bodies privileg- 43  
ed from the Arrest for 40 Days, as *ante, 26*.

1 Geo. 2. c. 9. The Sheriff without Fee or Reward, shall in 40 Days after Re- 44  
*Ante, 7.* ceipt of the Writ, deliver his Precept to all the Boroughs, &c.  
within the County, and shall receive the Return thereof from the  
returning Officer and none other.

*Post, 53.* Said returning Officer to hold the Election in 21 Days after re- 45  
ceipt of the Precept, and give 4 Days Notice previous, on pain  
of 500*l.*

All Securities, Bonds, &c. given to such returning Officers to 46  
return a Member, are declared void, and the Officer accepting the  
same, to forfeit 500*l.*

† *Post, 53.* The Sheriff to return the Writ and Indenture thereto annexed, 47  
given him by the said returning Officer, to the Clerk of the Crown  
in Chancery, before the meeting of Parliament, on pain of 500*l.* to  
each Party aggrieved.

† See the *Quer.* The Clerk of the Crown, on pain of 500*l.* to enter all Returns 48  
*in the Margin,* in a Book, and all Alterations, and to grant Copies thereof, which  
*Post, 3.* shall be Evidence on Trial at Law.

*Post, 53.* No Trustee or Mortgagee to have a Vote, unless in Possession 49  
for 6 Months before the Writ, but the Cest-q-trust or Mortga-  
gor in Possession may vote.

- 50 No Freeholder of 10 l. only *per Ann.* shall vote, unless a Memorial of his Deed, describing the Nature of his Freehold, Quantity of Land, Grantor, Lessor, Grantee and Lessee, Consideration and Rent be registered 6 Months before with the Clerk of the Peace, unless it came to him by Descent, Marriage, Promotion, &c. within said 6 Months.
- 51 No Papist tho' not convict shall vote for a Member of Parliament or Magistrate. *Ante, 25, 37.*
- 52 No Freeman shall vote that was not free 6 Months before the Election, unless made free by Service or Birth, or was entitled to it 6 Months before.
- 53 The Penalties on this Act not exceeding 100 l. shall be to the Informer with full Costs, and of those above that, two Thirds to the Informer, and one Third to the Poor. Actions to be commenced within one Year. *Ante, 45, 46; 48. Quer. The 500l. in 47 ante.*
- 54 The Votes of Linen-Weavers (as such) for Members of Parliament are hereby taken away (Vid. *Linen-Manufacture*, 6.) *1 Geo. 2. c. 11.*
- 55 This Act was made for purchasing the Interests of the Houses adjoining to the new Parliament House; and a further Time is given, by 5 Geo. 2. c. 6. for that Purpose for one Year, from the 25th of March, 1732. Further continued to the 25th of March, 1735, by 7 Geo. 2. c. 7. with further Directions. *3 Geo. 2. c. 8.*
- Vid. *Convocation*, 1. *Court of Wards*, 6. *Execution*, 6. *Ireland*, 5. *Petition*, 1. *Taxes*, 1.
- Parliament House.** Vid. *Parliament*, 55.
- Parochial Offices.** Vid. *Religion*, 5. *Weavers*.
- Parole Agreement.** Vid. *Estates at Will*, 1.
- Parole Demur.** Vid. *Infants*, 1.
- Parsonages and Parsons.** Vid. *Appropriations*, 3. *First-Fruits*, 12. *Leases*, 7. *Quod permittat*, 1. *Uniformity*, 17.
- Parrp, Benj.** Vid. *Poor-house*, 1. *Rivers*, 36. *M.*
- Parteen-Wear.** Vid. *Rivers*, 12.

Partition.

- 1 THIS Act directs how to proceed in a Writ of Partition, and how to obtain Judgment by Default. *9 Gul. 3. Sess. 1. c. 37.*
- 2 Tenants within one Year after Judgment, Feme-covert, &c. within one Year after the Impediment, may shew Cause against such Judgment, and the Court may award a new Partition.
- 3 No Plea in Abatement allowed, nor shall the same abate by the Death of any of the Tenants thereto.
- 4 When the High-Sheriff can't attend, the Sub-Sheriff, with two Justices of Peace may execute a Judgment of Partition, but no Partition shall disturb the Tenants in Possession.

Sheriffs,



## Partition

Sheriffs, &c. and all Justices of Peace to attend the Partition 5  
on proper Notice. *This Act is made perpetual, by 6 An. c. 3.*  
*Post, 8.*

Where Partition shall be made by Perambulation or Writ of 6  
Partition, the Mears and Bounds to be made up with Ditches,  
&c. on pain of one Year's Value to the Informer and Poor.

14 H. 3. Eng.  
Stat. Hiber.

If Lands descend to several Coparceners, they shall all hold of 7  
the chief Lord, and not one of the other.

6 An. c. 3.

Join-Tenants and Tenants in common, after Partition, may 8  
have Aid one of another, to deraign the Warranty paramount.

8 Geo. I. c. 5.

*Post, 19.*

Owner or Occupier of Lands (where no Dispute has been for 9  
three Years last past before then, about the Bounds) being de-  
sirous to make up the Bounds, the Proprietor, &c. of the neigh-  
bouring Lands, on Request, shall be obliged to make up the  
Bounds, Ditches 6 Foot wide, 5 deep, with Quick or Furs,  
Stone or Mud-wall, or Trenches, according to the Nature of the  
Soil.

Proprietors, &c. refusing to settle or ascertain the Bounds, that 10  
Fences may be made, shall be compellable by Bill in Equity or  
Commission of Perambulation, to ascertain the same, and shall  
be at equal Expence, in making, preserving, &c. such Fences;  
and on his Refusal or Neglect for one Year, the Owner, &c.  
requiring the Bounds to be made, may do it himself, and may  
compel the other to pay the Moiety by Action of Debt, or by  
Civil Bill, under 10 l. with treble Costs, the Stone or other  
Wall, shall be charged no more than 1 s. 6 d. per Perch, the  
Ditches, &c. 1 s.

*Post, 15.*

The Proprietors, &c. refusing to keep the Fences made in Repair, 11  
shall have no Remedy for involuntary Trespas.

*Vid. Post, 18.*

Occupier not having an Estate for Life, or 11 Years, in the 12  
Land, shall, on his Oath at the Sessions, be allowed against his Land-  
lord or Lessor what he expended in making the Fences, giving  
Bond to keep them in Repair.

No Tenant or Farmer for Life or Years, shall be obliged to 13  
fence above one fifth Part yearly.

The Bounds may be made in straight Lines, and the Lands on 14  
either Side may be exchanged (*See as the Act directs*), and the Ex-  
change shall bind all Persons, but not to exceed 2 Acres in every  
100 Perches.

*Ante, 11.*

The Owner, &c. who shall make up the Bounds may, in equal 15  
Proportion, set out what Part thereof the adjoining Tenant is to  
uphold, as his Part.

This Act not to avoid any Contract between Landlord and Te- 16  
nant, for making of Bounds.

Where

## Partition.

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- 17 Where the Plantation Acre is not worth 2*s.* *per Ann.* beside Quit-Rent, none shall be compelled to make Fences.
- 18 No Proprietor or Lessor shall be obliged to allow, in one Year, more than the 20th Part of the Rent for making Bounds.
- 19 No Proprietor, &c. to be obliged to fence any Park, &c. not *Ante, 9.* containing 10 Acres, with a Ditch 6 Foot wide, and 5 deep, former Passages to be left open.
- 20 No Mears, made by this Act, shall be conclusive, unless agreed to by the Parties under Hand and Seal; or unless they suffer the same to stand 5 Years after the Leases then in being, and 5 Years after Impediments of Coverture, Infancy, Remainder, &c. removed or happening.
- 21 Person seized or possessed of Lands adjoining to Bogs, Loughs, & *Geo. 2. c. 9.* Moss, or between the Flux and Reflux of the Sea, may exhibit a Petition in *Chancery* or *Exchequer* against his Neighbours, for ascertaining the Bounds thereof, and in 30 Days after Service of such Petition on the Party, the Court may issue a Commission to 7 or more, and any 5 (who may examine Witnesses, and send a Precept to the Sheriff, to return a Jury to ascertain such Bounds) may proceed.
- 22 Regard to be had to the Length of the profitable Lands adjoining, and the Commissioners to ascertain the Place where, the Length and Breadth of any † Drain, &c. to be made, and divide the same † *Post, 25.* between the Proprietors in Proportion.
- 23 Proceedings on such Commissions to be returned into Court under Hand and Seal, and the Court may alter, amend, or set aside the same on Cause; but if no Cause, in 30 Days of Term time, &c. to be confirmed, and shall bind all Parties.
- 24 Not less than 24 Jurors to be returned, and Challenges to be to them, &c.
- 25 Proprietors, on 3 Months Notice, refusing, &c. to make such Drains, the others may do it, and recover the Expence by Civil Bill, but shan't exceed 10*l.* in one Year, and the Perch 1*s.* 6*d.*
- 26 A Termor less than 7 Years, at returning the Commission, shall hold and enjoy the Place till he, &c. be refunded all his Charges, after his Lease determined; if 7 Years, 3 Parts in 4; if Tenant for Life or 14 Years, 2 Parts in 3; 2 Lives or 21 Years, a 4th Part; but if 3 Lives or 31 Years, he gets nothing.
- 27 Such Lands (so that they never paid Tythes before for Corn or Hay, &c.) shall be exempt from Tythes of Hemp, Flax, or Rape, for 7 Years, but shall pay such Sum as they did for 7 Years before.

Vid. *Advowson*, 3. *Join-Tenants*, 1.

H h

Partner



**Partnership.** Vid. *Fish*, 28.  
**Patrick's.** Vid. *St. Patrick's*.  
**Partridge.** Vid. *Game*, 2, 8.  
**St. Patrick's Purgatory.** Vid. *Papists*, 38.  
**Passage.** Vid. *Affize*, 5. *Partition*, 19.  
**Passengers.** Vid. *Wooll*, 32.  
**Passes.** Vid. *Mediterranean*.  
**Pastimes.** Vid. *Lord's-day*, 4.  
**Pasture.** Vid. *Admeasurement of*.  
**Patents and Patentees.** Vid. *Aid*, 3. *Fees*, 30. *Grants*, 1. *Inrolments*, 4. *Letters Patent*, per tot. *Religious Houses*, 3. *Tenure*, 2. *Queen*, 1.  
**Patronage and Patrons.** Vid. *Advowson*, per tot. *Appropriations*, 4. *Parish-Churches*, 37, 40, 42. *Religious Houses*, 3.  
**Paving and Pavements.** Vid. *Dublin*, 1, 2, &c. *St. Micans*, 4.  
**St. Paul's Bounds.** Vid. *St. Micans*.  
**Paul Jeffery.** Vid. *Poor-house*, 1. *Rivers*, 36, L.  
**Pauper.** Vid. *Costs*, 2.  
**Payments.** Vid. *Administrator*, 3. *Artificers*, 7, 10. *Bar*, 1. *Civil Bills*, 22. *Coaches*, 16, 21. *Coin*, 5, 12. *Corn*, 5. *First-Fruits*, 17. *Forfeiture*, 3. *Hearth-money*, 11, 15. *Limitation*, 18. *Register*, 16, 20. *Rent*, 14. *Sheriff*, 29.  
**Pap-master-general.** Vid. *Soldiers*, 4, 8.

### Peace.

2 E. 3. c. 6. Eng. **T**HE Justices assigned have Power to punish Resisters of the Peace.

Vid. *Justice of*, per tot. *Armour*, 1. *Bows*, 1, 4. *Clergy*, 10. *Justice of Goal-Delivery*, 2. *Recognizance to the King*, 1.

### Peace and War.

10 H. 7. c. 17. **B**Y this Act none was to make Peace or War but by Licence from the Lieutenant or Deputy. (N. B. This related to the Irish Enemy only.)

**Pease.** Vid. *Corn*, 11.

**Peculiars.** Vid. *Uniformity*, 8.

**Pedlars.** Vid. *Linen-Manufacture*, 64.

**Peers.** Vid. *Accusation*, 1. *Papists*, 2. *Amerciament*, 1. *Forest*, 1. *Rome*, 21.

**Pelts.** Vid. *Sheep*, 8.

**Penal-laws.** Vid. *Error*, 6. *Jeofails*, 4. *Limitation*, 2.

**Penaltp.** Vid. *Accusation*, 5. *Pains*, and.

**Pensions.** Vid. *Ale-house*, 6. *Limitation*, 9. *Rome*, 1. *Schools*, 5.

**Percival, Lord Vis.** Vid. *First-Fruits*, 18.

**Perambulation.** Vid. *Partition*, 6, 10.

**Perjury.**

- 1 **P**ersons procuring a Witness to commit Perjury in any Cause or Suit in any Court, or before any Judge or other Officer, shall forfeit 40*l.* or 6 Months Imprisonment; on Failure of Payment, be pillored, and for ever disabled to give Testimony till the Judgment is reversed; and then the Party aggrieved to recover Damages against him that procured the Reversal. 28 El. c. 1.
  - 2 Persons suborned, or of themselves guilty of Perjury, by their Deposition in any Court, or before any Judge, &c. as aforesaid, to forfeit 20*l.* and be punished as above; a Moiety of the Forfeitures to the Informer, the other to the Crown.
  - 3 Justices of the same Court, Assizes and Sessions, may hear and determine said Offences: This Act to be given in Charge at the Assizes; not to extend to the Spiritual Court.
  - 4 And all Judges may proceed in Perjury as before this Act; and this to be perpetual.
  - 5 Persons guilty of Perjury or Subornation to be further punished by sending them to the House of Correction for 7 Years, or transported for 7 Years; and escaping, breaking Prison, or returning within the Time, to suffer Death; but shall work no Corruption of Blood. Vid. *Forgery*, 9. for the Continuance of this Act. 3 Geo. 2. c. 4.  
Vid. *Affidavit*, 3. *Customs*, 66. *Gaming*, 8. *Poor-house*, 18. *Quakers*, 5. *Register*, 16. *Sheriff*, 37. *Small Debts*, 11. *Solicitors*, 11. *Watches*, 24.
- Persons in Prison.** Vid. *Fine*, 6, 7, 8, 18. And a Saving for them in all Cases, as for Infants and Feme Coverts.
- Personal Estate.** Vid. *Administrator*, per tot. *Spiritual Persons*, 10. *Women*, 3, 5.
- Peter-pence.** Vid. *Rome*, 1.

## Petition.

- 1 **N**ONE shall procure the Hands of above 20 Persons to any Petition or Remonstrance to the King or Parliament, for Alteration in Church or State, on Pain of 100*l.* except by Consent of Justices, Grand-juries, &c. 13 Car. 2. c. 5. Eng.  
N. B. (Ireland is not mention'd herein, yet binds the People to this Purpose, and is therefore here inserted.) Vid. contra, the 5th Article of the Declaration confirmed by 1 Gul. & M. Sess. 2. c. 2. Eng.  
Vid. *Letters Patents*, 2. *Partition*, 21. *Tories*, 8.
- Petty Customs.** Vid. *Customs*, 96.
- Petty Larceny.** Vid. *Clergy*, 16. *Larceny*.
- Petty Treason.** Vid. *Treason*, 2.
- Pews.** Vid. *Parish-churches*, 60.



**Pewter and Brass.**

9 Gul. 3. Sess.  
1. cap. 39.

**N**O Pewterers or Braziers to sell or change new or old Pewter or Brass but in Fairs or Markets, openly or in Shops, on Pain of 40 s. a Moiety to the Seizer, the other to the Poor.

All Pewter and Brass made or wrought in *Ireland*, found in the Possession of the Maker, not as good as is required to be in *London*, shall be forfeited; to be divided as *ante*, 1. the Offences to be heard before the Magistrates, and reported to the Sessions.

Hollow Ware, made of Lay-Metal, shall be as good as the *London*-Affize, on Pain of Forfeiture (or the Value, if seized after Sale) and the Maker to mark the same.

Pewterers having or using false Beams or Weights, to forfeit 5 l. 4 s. and on Default of Payment, to be put in Stocks, and pillored the next Market-day, by the Mayor, &c. or 2 Justices of Peace.

The Master, &c. (if any) or Head-Officer, may appoint Persons in Cities, &c. to search after such Offenders, and seize suspected Goods; and 2 such Persons to be appointed at *Michaelmas*-Sessions in every County.

Or any other Person, skill'd therein (tho' not so appointed) may 6 by Over-sight of the Mayor, &c. search for unlawful Metal and Weights.

**Pheasants.** Vid. *Game*, 14.

**Phillips, Edward.** Vid. *Kilkenny*, 1.

**Philpstown.** Vid. *Counties*, 3.

**Physiognomy.** Vid. *Vagabonds*, 9.

**Physician General and State.** Vid. *Poor-house*, 1.

**Physick-garden.** Vid. *Tobacco*, 3.

**Pick-pockets.** Vid. *Felony*, 26.

**Pidgeons.** Vid. *Game*, 9.

**Pigs.** Vid. *Swine*, 1.

**Pilchards.** Vid. *Fish*, 22.

**Pilloy.** Vid. *Tumbrel*. Butchers, 1. Forgery, 1. Grand-juries, 2.

*Linen-manufacture*, 41. Perjury, 1. Pewter, 4. Vagabonds, 9.

*Weights*, 4, 5, 6. Witchcraft, 2.

**Pilgrimage.** Vid. *Papists*, 38.

**Pious Uses.**

10 Car. 1. Sess.  
3. cap. 1.

**A**LL Bishops, &c. may be compelled, in *Chancery* or at the Council-board, by Petition, to apply any Lands, &c. to them granted, in Trust, for Erecting, Maintenance, &c. of Colleges, Hospitals, &c. or Relief of poor Persons, to said Uses, and repair the Edifices, &c.

**Pipe.** Vid. *Exchequer*, 3.

**Pipe-clay.** Vid. *Tobacco-pipe-clay*.

**Pipe-staves.** Vid. *Customs*, 104.

**Piracy.**

**1** **M**urders, Felonies, &c. done on the Sea, or in Havens, to be tried by Commission in any County, directed to such Persons as the Lord Chancellor shall name. 11, 12, 13 Jac. 1. cap. 2.

**2** Any 4 of such Commissioners may, by a Jury, hear and determine said Crimes; and like Process and Execution, &c. to be had, as if done in the same County.

**3** Not to extend to Persons in Distress on the Sea, taking Victuals or Ropes, &c. so as they pay for the same in 4 Months, if on this side of the Straights of Morocco, and 12, if t'other side.

Vid. *Wreck*, 3.

**Pirates.** Vid. *Customs*, 76.

**Pitch.** Vid. *Customs*, 16. *Ireland*, 7. *Ships*, 12.

**Place of Abode.** Vid. *Addition*, 2, 3. *Register*, 6, 17. *Vagabonds*, 5.

**Plague.** Vid. *Quarentine*. 1, 2, 3.

**Plantation-lands and Planters.**

**1** **T**HE King, &c. adjudged seized in Fee, in Right of the Crown, of all the Lands, &c. in the several Counties in *Ireland*, called 10 Car. 1. Sess. 3. cap. 3.

Plantation-lands; and the *British* Undertakers to whom the same are or shall be granted, to hold the same discharged of Arrears, &c. against the King, &c. not to prejudice the Right of Bishops, &c.

**2** All Alien Protestants, Merchants, Artificers and Sailors, that shall transport their Stocks into *Ireland*, with Intent to inhabit there, taking the Oaths, shall be deemed † natural-born Subjects. 14 & 15 Car. 2. Sess. 4. c. 13. † Vid. Post, 7. & Soldiers, 3.

**3** All Protestants, as well Aliens as Subjects, coming into any City, &c. to dwell, shall, on Request and Tender of 20 s. be made a Freeman, and be admitted of Guilds or Societies, &c. and Strangers, during Residence there, to be deemed Denizens, taking the Oaths, &c.

**4** Magistrates refusing to admit such Persons free, shall forfeit 100 l. and the Person refused, on Tender of 20 s. and taking the Oaths before any neighbouring Justice, is declared free; and Persons disturbing them in Trade, to forfeit 20 l.

**5** None of said Alien Protestants to keep above 6 Servants, and those to be Protestants, on Pain of losing his Freedom, and to forfeit 10 l. for every Servant above 6.

**6** This Act was but for 7 Years, and was by 4 Gul. & M. c. 2. continued for 7 Years longer; and is now made perpetual, by 4 Geo. 1. c. 9.

**7** None of said Protestant Aliens shall be a Member of Parliament or Magistrate, or vote for them; and their Freedom in Cities, &c. to be during Residence only. 2 An. Sess. 1. c. 14.

**8** All Strangers, settling in Corporations, to be freed from Corporation-taxes and Offices, for 7 Years after their Coming.

**9** None shall have the Benefit of 14 Car. 2. ante, 2. until he take the Oaths, and subscribe the Declaration, &c.

Vid. *Letters Patent*, 11.

**Plantations.**



**Plantations.** Vid. *America*.

**Plaints.** Vid. *Affize*, 15. *Fees*, 31.

**Plate.** Vid. *Coin*, 2, 6, 7. *Gold*, 2.

**Plays.** Vid. *Uniformity*, 2.

**Plea.** Vid. *Papists*, 59. *Pleaders*, &c. 3. *Sheriff*, 55. *Voucher*, 1.

### **Pleaders and Pleading.**

36 E. 3. c. 15.  
*Eng.*

**A**LL Pleading shall be pleaded in *English*, but entered and in-rolled in *Latin*.

33 H. 8. Sess.  
2. c. 3.

None to be admitted a Pleader in the *Four-Courts* (except for the Crown) that is not Years resident in the *Inns of Court*, *England*.

6 An. c. 10.

Defendant, Tenant or Plaintiff, in *Replevin*, may, by Leave of the Court, plead as many Matters as they please in their Defence.

But if insufficient on Demurrer, or Verdict against him, to pay 4 Costs.

A dilatory Plea shall be put in upon Oath in any Court of Record.

If on Action on a Bond, the Defendant bring into Court all the Principal Money, Interest and Costs due, the Court shall give Judgment to discharge the Defendant.

Vid. *Advowson*, 2. *Barristers*. *Champerty*, 6. *Conspiracy*, 2. *Declaration*, 1. *Disceit*, 1. *Exchequer*, 5. *Fraudulent Conveyance*, 11. *Jeofails*, 1. *Law-Proceedings*, 5. *Prisoners*, 7. *Solicitors*, 16.

### **Pleas of the Crown.**

9 H. 3. c. 17.  
*Eng. M. ch.*

**N**O Sheriff, Coroner, &c. shall hold Pleas of the Crown.

**Pledges.** Vid. *Debt to the King*, 1. *Distress*, 10. *Jeofails*, 5.

**Plenary.** Vid. *Advowson*, 2.

**Plow.** Vid. *Debt to the King*, 5. *Distress*, 1. *Horses*, 3.

**Plow-Land.** Vid. *High-ways*, 2, 7, 13.

**Plowing.** Vid. *Tillage*, 1.

### **Plus Acres.**

2 An. Sess. 1.  
c. 8.

**T**HE Lands called *Plus Acres*, shall be vested in the Persons who were in Possession of them, the 1st of *October*, 1702. to hold them for ever.

The Chief Governor, &c. for three Years, to hear and determine Claims on them, and shall be final, and may grant such of them undisposed of, for any Term of Years.

**Poles.** Vid. *Hedge-breakers*, 1.

**Polebeg.** Vid. *Ballast*, 10.

**Poll.** Vid. *Parliament*, 34, 35.

**Poor.**

- 1 **T**HE Minister, Church-Wardens, and one Justice of Peace, <sup>2 Geo. I. c. 17.</sup> may bind any poor Child begging in the Parish, or any other poor Child, with the Consent of Father or Mother, to a *Protestant* House-keeper, till he is 21 Years old, or to a *Protestant* Tradesman, till he is 24 Years old, as an Apprentice.
- 2 His Age to be ascertained in the Indentures, and that shall be deemed his true Age, and to be entred in the Vestry-book, and may be transferred, on the Death of the Master, to his Executors, &c.
- 3 Usual Covenants in other Indentures to be inserted in this, Justices of Peace may determine the Complaints, such Prentice to be punished as other Servants are. (*Vid. Servants.*)
- 4 No Stranger to hire such Prentice, before the Expiration of his Time, on pain of 40 l.
- 5 Justice of Peace may award 2 s. 6 d. Cost, on any Complaint, if frivolous, and his Judgment shall be final; the General Issue may be pleaded on executing this Act, and treble Costs allowed.
- 6 The Piece of Ground in *Shandon* Parish in *Cork*, whereon the *Green-coat Hospital* Schools are erected, is hereby vested in the Trustees (in the Act mentioned) for that Use, and said Trustees are incorporated. <sup>4 Geo. I. c. 14.</sup>
- 7 Any five of the Trustees may dispose of the Money towards educating, placing to Apprentice the said Children, and maintaining eighteen decayed House-keepers. *This a publick Act.*  
*Vid. Appropriations, 1. Artificers, 3, 8, 13. Bread, 7. Bricks, 4. Butter, 2, 3. Dublin, 35. Fish, 19. Game, 5. Hedge-breakers, 3. Lights, 5. Linnen-Manufacture, 9. Lord's-day, 4, 9. Measures, 16, 20. Parliament, 53. Partition, 6. Religion, 3. Wood, 7.*

Door-House.

- 1 **B**Y this Act the Corporation established by 2 An. for erecting a <sup>1 Geo. 2. c. 2.</sup> Work-House, is dissolved, and a Corporation is hereby con- <sup>priv.</sup> tinued for ever in *Dublin*, consisting of the Chief Governor and <sup>Vid. Coaches.</sup> several others, whose Names are in their proper Place, in Order of the Alphabet, inserted in this Book, referring to this first Section of the Title.
- 2 On the Death of any of the said Governors, another may be chosen for ever, who resides in *Dublin*, or within 10 Miles, and pays 20 s. Minister's-Money, yearly.
- 3 The Corporation is called, *The Governors of the Work-House of Dublin*, and have a common Seal, may sue and be sued, &c. by that Name, and purchase 2000 l. per Annum, for the Corporation.



Fifteen of the Governors to meet and appoint a Steward or Treasurer at 60 l. *per Ann.* Salary, giving Security; and a Register at 25 l. *per Ann.* who shall issue Summons to hold a Court 4 times a Year, on the Mondays next after the 24th June, 29th September, 25th December, 25th of March.

The Governors may appoint other Officers, and make By-Laws.

All Lands, Goods, &c. that were vested in the former Corporation are hereby vested in this.

Actions for or against the former Corporation not abated by the Dissolution, but may be prosecuted by or against this.

All Parish-Dues and Arrears, Coach, Cart, Chair, and Dray-Money, and Rent granted for Maintenance of the Poor in said House, are vested in the Corporation for the Use thereof, the Collector appointed by the Governors to give Receipts for the Funds he shall receive.

All the Power of the former Corporation is vested in this; Receivers of their Revenue to account upon Oath, which the Governors may administer.

The Governors yearly out of themselves to chuse 15 Assistants, who, or any 5 of them, have power to execute all Laws, &c. and to inspect the Goal and Bridewel of Dublin.

Three pence *per lib.* according to the valuation of Ministers Money or Rent to be paid out of all Houses in Dublin, &c. as well parochial as extra † parochial, till the 1st Day of May, 1749. by the Inhabitants, or by the Ground-Landlord if waste, to be levied by the

† Church-Wardens, and payed to the Governors for the Use of the Poor, and may be distrained for.

† Foundling Children in Dublin, shall be received into the Work-House after 6 Years old, and be instructed in Learning, &c. till 21. and on a Certificate from the House of his serving a Trade, &c. he shall be Free of Dublin, but not to have a Vote for Parliament till admitted Free by the Lord Mayor, &c.

† The Ministers and Church-Wardens in Dublin, yearly to elect 2 Overseers of the Poor, who shall take care of Foundling Children till admitted in the Work-House, and 13 being present in the Vestry, shall cess the Parish for their Maintenance.

Said Overseers at Ascension yearly to account for the Money received, and how expended, and return a List of the Foundling Children, where and when taken up, by whom nursed, when dead; and are to visit them quarterly.

† The Assistants or 5 of them, &c. shall appoint Persons to apprehend and bring before them, all sturdy Beggars and Vagabonds, and by Warrant commit them to the Work-House, till the next General

† Post, 19.

† Post, 16, 17.

† Post, 13, 14, 23, 24, 27.

Post, 24, 25.

Post, 21.

General Court if they think fit, and then may be confined there for 4 Years at hard Labour.

16 The general Issue pleadable, and double Costs given on this Act by and to Persons sued for executing the same.

17 No *Certiorari* shall supersede any Execution or Proceeding upon any Orders, &c. by the Governors, &c.

18 By this Act the Church-Wardens empowered by the Governors 3 *Geo. 2. c. 17.* to collect the Money, shall do it at the End of every 6 Months, and render to the Governors an Account of the Produce on Oath if *Post, 28.* required, and may be prosecuted for Perjury on such Oath if committed, and refusing, &c. to collect and pay it over, to forfeit 50 l. to the Use of said Work-House.

19 Valuation of Houses † Extra-parochial to be made by 4 Persons ‡ *Ante, 11.* inhabiting the place, to be appointed by such Minister and Church-Wardens as the Court of Assistants shall appoint.

20 Said Valuation to be returned to said Court with an Affidavit annexed, and shall remain a Charge on the House, and to be collected by the said Church-Wardens.

21 All Inhabitants with the Assistance of Beadle or Constable have *Ante, 15.* full Power to apprehend all Beggars, Vagabonds, &c. and carry them before any one Member of the Court of Assistants, who may commit them, &c. *as Ante, 15.*

22 Beadles and Constables refusing, &c. to assist, to forfeit 20 s. to the Poor-House, to be levied by Warrant of 5 of the Assistants, &c.

23 Foundling Children may be put out Apprentice, 15 of the Governors being present, or 5 of the Assistants to any Trade, &c. to the *Ante, 12.* Sea, or to any House-Keeper for 7 Years.

24 All Foundling Children shall be received in the Work-House under † 6 Years Old, and 3 d. *per lib.* more shall be levied of all ‡ *Ante, 12.* Houses for their Maintenance under 6 Years, for 2 Years from this Act, and be † levied by the Church-Wardens, *as Ante, 11, 19,* and 20 ‡ *Post, 27.*

25 A separate Account to be kept of the said Additional 3 d. *per lib.* † *Ante, 13.* how expended, &c. and the † Vestries in that time shall raise no Money for them.

26 Instead of Church-Wardens (*as Ante, 11.*) the Governors may 5 *Geo. 2. c. 14.* appoint other Persons to collect said Money, and allow them 6 d. *per lib.*

27 The said Additional 3 d. *per lib.* for Foundling Children (*Ante, 24.* *Ante, 24.*) is continued as long as the other 3 d. *per lib.* (*Ante, 11.*) and the Governors to appoint a Receiver *as Ante, 26.*

28 Church-Wardens not accounting, *as Ante, 18.* to forfeit 50 l. to the Use of the House.



**Work-house.**

Governors empowered to levy the Rent of Cars, Drays, &c. in 29 the County of *Dublin*.

The Court of Assistants may commit Vagabonds, &c. offending 30 in the *Work-house*, to *Bridewell*, and back again as there shall be Occasion. The general Issue pleadable on this Act.

**Pope.** Vid. *Provisors*, 2, 9.

**Poperp.** Vid. *Education*, 1. *Justice of Peace*, 2. *Relapse. Solicitors*, 23.

**Papish Priests.** Vid. *Marriages*, 11, 13. *Papists*, 40, 50, 56.

**Papish Religion.** Vid. *Popery*.

**Pork.** Vid. *Beef*, 1. *Butcher*, 1. *Cattle*, 1.

**Porters.**

3 Geo. 2. c. 17. **T**HE Names of all Porters or Messengers plying in *Dublin* for Hire, to be registered with the Clerk, &c. of the *Work-house*, and shall enter Security there, and have a Badge given him from thence; Persons plying without such Registry, Badge, &c. to be sent to the House of Correction for 10 Days.

Vid. *Customs*, 23. *Fees*, 33. *Wool*, 15.

**Ports.** Vid. *Havens*. See which are the Ports in Ireland in the Proclamation by the Lord Lieutenant and Council, dated 19 September, 1662.

**Port-corn.** Vid. *Dublin*, 31. *Religious Houses*, 10.

**Portions.** Vid. *Limitation*, 9. *Rome*, 1.

**Portcriffs.** Vid. *Magistrate*.

**Poste-Comitatus.** Vid. *Return of Sheriffs*, 4.

**Possession.** Vid. *Ability*, 10. *Forcible-Entry*, 4, 6. *Intrusion*, 1. *Limitation*, 19. *Maintenance*, 3. *Parliament*, 49. *Plus Acres*, 1. *Tenants*, 1. *Uses*, 4, 5.

**Post-Fines.** Vid. *Sheriff*, 41.

**Posthumous Children.** Vid. *Ability*, 7.

**Post-Office.**

12 Car. 2. c. 35. Eng. **A** General Post-Office is erected by this Act, and a Post-Master-General, &c. appointed by Patent, the Rates to be, 2 d. for a Sheet-Letter, not exceeding 80 Miles, 2 Sheets 4 d. Packets 8 d. per Ounce; 3 d. per Sheet above 80 Miles; from *England* to *Dublin* 6 d.

None but the Post-Master-General, &c. shall provide Post-Horses in the Post-Roads in *England*, *Scotland*, and *Ireland*.

15 Car. 2. c. 14. Eng. The Profits of the Post-Office is settled on the Duke of *York* and his Heirs Males.

1 Jac. 2. c. 12. Eng. By this Act the King is seized of the Revenues of the Post-Office, as in Fee-simple.

By

## Post-Office.

251

By this Act a Post-Office is established in all her Majesty's Dominions and Ireland. 9 Ann. c. 10. Eng.

**Pot=Alfhes.** Vid. *Customs*, 107. *Ships*, 12.

**Potatoes.** Vid. *Weights*, 9, 10.

**Potwallopers.** Vid. *Inhabitants*.

**Poulterers.** Vid. *Victuals*, 2.

## Pound-Breach.

UPON any Pound-Breach † or Rescue of Goods, &c. distrained for Rent, the Party on a special Action on the Case, shall recover treble Damages and Costs against the Offender or Owner of the Goods, if they afterwards be found to come to his Use or Possession. 7 Gul. 3. Sess. 1. c. 22. † vid. *Rent*, 25

**Poundage.** Vid. *Customs*, 11, 17, 74, 97.

**Pound=obert.** Vid. *Distress*, 17. *Grand-juries*, 2. *Rent*, 25.

**Powder.** Vid. *Actions Popular*, 6.

**Power of Trustees.** Vid. *Forfeited Estates*, 15.

**Popning's Law.** Vid. *Confirmation*, 6.

**Popsoning.** Vid. *Murder*, 4. *Trial*, 2.

**Prayers.** Vid. *Book of Common-Prayer*. *Uniformity*, 12.

**Præ=emption.** Vid. *Gold*, 17.

**Breachers.** Vid. *English Language*, 4. *Religion*, 3, 6. *Uniformity*, 21, 22.

**Prawns.** Vid. *Fish*, 22.

**Precentor.** Vid. *St. Andrews*, 3.

**Precepts.** Vid. *Forcible-Entry*, 3. *Parliament*, 7, 44.

**Precipe.** Vid. *Tenant to the precipe*, *Right*, 1.

**Precontract.** Vid. *Marriage*, 1.

**Preferment.** Vid. *Abatement*, 2, 3.

## Prelates.

THE Successors of Prelates shall have Actions, &c. for Lands, Goods, &c. taken from the Predecessor. 52 H. 3. c. 28. Eng.

Vid. *Judgment*, 1. *News*, 2.

**Premium.** Vid. *Hemp*, 6. *Linen-Manufacture*, 21. *Thieves*, 1.

## Premunire.

A Premunire is granted against such as sue in a foreign Realm, or impeach there any Judgment given in any of the King's Courts. The Penalty is to be out of the King's Protection, to forfeit all Lands and Goods, and be imprisoned, and ransomed at the King's Pleasure, and to be outlawed if the Offender can't be found. 27 E. 3. St. 1. c. 21. Eng.



**Præmunire.**

16 R. 2. c. 5. Purchasing Bulls, &c. from Rome, or elsewhere, adjudged a Præ-  
Eng. munire.

2 An. Sess 1. Persons seducing or perverting Protestants to become Papists, 3  
c. 6. both declared guilty of a Præmunire after the 24th of March,  
1703.

Vid. Aliens, 2. Appeal, 10. Attorney, 1, 4. Bishops, 7. Oaths, 10.  
Outlawries, 10. Papists, 2, 55. Provisors, 3, 5, 6. Rome, 13, 20.

**Prentices.** Vid. Apprentices.

**Prerogative.**

17 E. 2. c. 8 L Apse of 6 Months shall not prejudice the King's Presentation  
Eng. to a Church. Vid. Advowson, 6.

10 H. 7. c. 7. All Laws made in Cities contrary to the King's Prerogative, 2  
shall be void.

**Presentation.**

10 & 11 Car. 1.  
Sess. 4. c. 2.

**A**LL Persons seized of Parsonages, &c. appropriate, may pre-  
sent a Clerk, and being instituted and inducted, &c. the Ap-  
propriation shall be dissolved and become presentative by the Do-  
nors, &c.

Vid. Ability, 1. Advowson, per tot' Appropriations, 4. English Lan-  
guage, 3. Maintenance, 1. Parish-Churches, 41. Prerogative, 1.  
Quar. Impedit, 8. Spiritual Persons, 25. Vicarages, 2.

**Presentments.** Vid. Accusation, 3, 6. Citation, 4. Fees, 10. Fo-  
rest, 4. Grand-jury, per tot' High-ways, 20, 21, 32, 37. Militia,  
19, Swine, 2. Tories, 4, 9, 11, 23. Vagabonds, 8, 20. Wooll, 8.

**Pretender.**

2 Geo. 1. c. 4.

**T**HE Vice-Treasurer, &c. to pay 50,000*l.* to any Person who  
shall secure the **PRETENDER** dead or alive, attempting to  
land in this Kingdom, and the said Sum to be paid to the Re-  
presentatives of any Person killed in the securing him.

Vid. Attainder, 12, 13.

**Price of Wine.** Vid. Wine, 1, 4.

**Priests.** Vid. Ability, 5. Incontinency, 1. Uniformity, 18.

**Primate, Lord.** Vid. Archbishop of Ardmagh.

**Prime Serjeant.** Vid. First-Fruits, 20. Nisi-prius, 8. Poor-  
House, 1.

**Primier Seisin.** Vid. Court of Wards.

**Principal.** Vid. Appeal, 2. Debt to the King, 1. Felony, 17, 24.  
Trial, 5.

**Priorities.**

**Priories.** Vid. *Abbies, Religious Houses.*

**Priority.** Vid. *Register, 2.*

### **Risage and Libery.**

1 **G**REAT Lords shall take no Prizes from the People, nor so- 3 E. 2. c. 1.  
journ at their Houses, without Payment, on pain of being  
deemed Robbery.

2 None to take Money or Horse-meat by way of Gift, by colour 10 H. 7. c. 18.  
of Gift, or by reason of menacing, &c. and the Husbandman con-  
cealing such Menaces, to forfeit 100 l.

N. B. *The above-mentioned Extortion was first begun by Maurice  
Fitz-Thomas of Desmond, Commander against the Scots.*

**Risage and Butlerage.** Vid. *Customs, 75, 132.*

### **Prison.**

1 **I**T is Felony for any Person to break Prison, being in for Felo- 1 E. 2. Eng. de  
ny, otherwise not. *frang. prison.*

**Prison-breakers.** Vid. *Bail, 1. Prison, 1.*

### **Prisoners.**

1 **T**HIS Act was made for taxing the several Parishes in each 17 & 18 Car.  
County, &c. by the Justices in the *Quarter-Sessions*, for Bread, 2. Sess 5. c. 8.  
for Prisoners, (*but see Tit. High-ways, 34. & post hic. 10.*)

2 Plaintiff in a personal Action, may sue forth an Original against 7 Gul. 3. Sess.  
a Prisoner, and may have a *Habeas Corpus*, to bring him before any 1. c. 25.  
Justice of B. R. or C. B. at a certain Day in Term to answer; if  
Plaintiff then declare, the Prisoner is bound to appear, and if he  
plead not on a Rule in eight Days, the Plaintiff shall have Judg-  
ment, and a Rule to the Goaler to detain him; and letting him go,  
to be answerable.

3 Plaintiff may declare in the same Court, against a Prisoner in Cu- 8 An. c. 9.  
stody, on any Writ out of the *Four-Courts*, before the End of the  
same Term, wherein the Writ is returnable, and give a Copy of  
4 the Declaration to the Prisoner or Keeper, and if he plead not be-  
fore the End of the next Term, the Plaintiff to have Judgment.

5 In Declarations in B. R. must be alledged in Custody of what  
Sheriff, &c. and shall be as sufficient as if in Custody of the Mar-  
shal of the *Four-Courts*.

6 If a Prisoner in a Civil Cause in the *Four-Court Marshal's*, escape, 8 An. c. 7.  
a Judge of the same Court, on Oath thereof, may grant a War-  
rant, which is in Force in all Places, directed to all Sheriffs,  
Mayors, &c. to retake such Person, and commit him to the com-  
mon Goal, and to make a Return on such Warrant.



**Prisoners.**

The Officer delivering such Prisoner to the Sheriff, to take a Note for him, and the Sheriff to be answerable for an Escape. 7

The Bail for such Prisoner may prosecute a Writ to the Sheriff, commanding him to keep the Prisoner in Discharge of the Bail; the Sheriff offending, or not making a proper Return, to forfeit 100*l.* 8

This a general Law, and be most beneficially construed, the General Issue may be pleaded, and treble Costs for executing this Act. 9

3 Geo. 2. c. 5. A Doubt arising on 1 Geo. 2. c. 13. (Vid. in *High-ways*, 34.) on the Word (Keepers) whether Money may be levied at Sessions, &c. for Relief of Prisoners. It is by this Act directed, that no Money be raised for such, but by the Grand-juries at the Assizes, and to be paid to the Minister of the Parish, who, and the Church-Wardens, shall distribute the same in Bread, &c. weekly (to Prisoners who have no other Means) as they shall think fit, on pain of 20*l.* refusing to act, and shall account on Oath at the Assizes.

3 Geo. 2. c. 9. Prisoners continued in Goal for their Fees, and not able to pay them, may be discharged by the Judges of Assize, on the Representation of the Grand-jury. 11

Vid. *Approver*, 1. *Bread*, 7. *Challenge*, 5. *Debt*, 2. *Fees*, 26. *Habeas Corpus*, 7. *House of Correction*, 14. *Judgment*, 3. *Marshal*, 1, 2. *Recognizance*, 3. *Sheriff*, 21. *Vagabonds*, 17. *Witness*, 1.

**Prisoners Allowance.** Vid. *Felony*, 31. *Prisoners*, 10.

**Privilege.**

28 H. 6. *Seff.* c. 4. THE Chancellor, or other Judges or Barons, on pain of 5*l.* not to make out Writs of Privilege for any but their Servants, &c. 1

Persons other than such Servants, pursuing such Writs, to forfeit 5*l.* 2

Vid. *Felony*, 2. *Ships*, 14.

**Privilege of Parliament.** Vid. *Convocation*, 1. *Execution*, 6. *Gaming*, 7. *Parliament*, 9, 26, 27, 28, 39, 41.

**Privy Council and Counsellors.** Vid. *Aliens*, 9. *Cloth*, 11. *Conspiracy*, 7. *Customs*, 94. *Militia*, 8. *Riot*, 2.

**Privy Seal.** Vid. *Pardons*, 3. *Seal*, 2, 3.

**Prize Ships.** Vid. *Safe Conduct*, 2. *Ships*, 26.

**Probates.** Vid. *Fees*, 1.

**Procedendo.** Vid. *Habeas Corpus*, 3.

## Process.

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- 1 **L**IKE Process shall be had in every Action to be brought on *10 Car. 1. Stat. R. 2 cap. 7.* (Vid. *Forcible Entry*, 1.) and every Action on the Case, as in common Actions of Trespass, and the like Process in Writs of Annuity and Covenant, as in Actions of Debt. *2. c. 15.*
- 2 A *Venire* shall be awarded of the Body of the County where the Issue is triable. *6 An. c. 10.*
- 3 No *Subpoena* to issue before the Bill is filed (except for Injunctions to quiet Possessions, stay Waste or Suit in Law. Vid. *Accusation*, 3. *Actions Popular*, 4. *Amendment*, 1, 2. *Arrests*, 5. *Chancery*, 3, 5, 6. *Coroner*, 9. *Debt to the King*, 4. *Discontinuance*, 1, 2. *Exchequer*, 4. *Lord's-day*, 7. *Mortgages*, 5. *Ordinary*, 2. *Waste*, 5.

## Prochein-amp.

- 1 **I**F an Infant be effoined so that he cannot sue personally, his Prochein-amy shall be admitted to sue for him. *13 E. 1. c. 15. Eng. W. 2.*

## Proclamation.

- 1 **W**HERE Exigent issues in personal Actions, a Proclamation of the same Test to issue at the same Time to the Sheriff where the Defendant lives. *11 12, 13, Jac. 1. c. 8.*
- 2 The Sheriff to make 3 Proclamations, one in full County, the 2d. in Sessions, the 3d. a Month before the *Quinto Exactus*, at the Church Door on Sunday.
- 3 In a Writ of Error, or reversing Outlawries for want of Proclamation, the Defendant to put in Bail.
- 4 No *Quinto Exactus* in a personal Action shall be returned by a Coroner on the Exigent, before Affidavit by 2 Witnesses that such Proclamation was made, and to be returned with the Exigent to the Clerk of the Outlawries. *6 An. c. 1. 5.*
- 5 The Clerk on pain of 40*l.* not to make out a *Capias Utlagatum* without such Affidavit filed.
- 6 The Sheriff on Pain of Amerciament, to return such Proclamation and Affidavit at the Day.
- 7 The Declaration after the Outlawry reversed, must be for the same Sum, &c. in said Proclamation, otherwise Defendant may plead this Act in Bar.
- 8 All Outlawries contrary to this Act are void, and may be reversed by Plea or Averment without Writ of Error. Vid. *Attorney*, 10. *Chirographer*, 2, 3. *Coin*, 21. *Fairs*, 2. *Fees*, 19. *Fine*, 6, 7, 15. *Hemp*, 1. *Judicial Proceedings*, 3. *Militia*, 10. *Quarentine*, 2. *Riot*, 7. *Summons*, 1, 2. *Tories*, 5, 14.

**Pro confesso.** Vid. *Mortgages*, 6.

**Proctors.** Vid. *Parliament*, 13.

**Profert.**



**Profert.** Vid. *Feofails*, 5.

**Professors of Law.** Vid. *Oaths*, 6.

**Profits by Descent.** Vid. *Papists*, 26.

**Prohibited Goods.** Vid. *Customs*, 87, 90. *Ships*, 29.

### Prohibition and Consultation.

13 E. 1. Eng.  
*Stat de circum-*  
*spect. agat.*

**F**OR Fornication, Adultery, not fencing the Church-yard, not repairing the Church, Oblations, Tythes, Pensions, Defamation, assaulting a Clerk, Prohibition lies not, (*Post*, 3.)

24 E. 1. Eng.  
*de consult.*

Where the Plaintiff cannot have Remedy in a temporal Court, he shall have a Consultation.

9 E. 2. c. 1.  
*Eng. Art. Cler.*

But Prohibition lies in suit for the Money that the Tythes were sold for, and by this Stat. c. 6. a Prohibition lies after Judgment in the spiritual Court.

1 E. 3. c. 11.  
*Eng.*

Suing an Indictor in the spiritual Court, Prohibition lies.

45 E. 3. c. 3. Eng.  
50 E. 3. c. 4.  
*Eng.*

It lies in a Suit for Tythes of Under-wood above 20 Years old.

No Prohibition lies after a Consultation awarded.

Vid. *Costs*, 6.

**Promotions.** Vid. *Spiritual Persons*, 5.

### Promissory-Notes.

8 An. cap. 11.

**A**LL Promissory-Notes duly signed, importing a Sum of Money, shall be payable to the Person to whom the same is made, and shall be assignable and indorsable as Inland Bills of Exchange; and the Indorsee, &c. may maintain an Action against the Drawer or Indorser, and recover Costs and Damages, the Defendant also to have Costs on Non-Suit, &c. and Parties may have Execution by *cap' fier. fa.* or *Elegit*.

Vid. *Felony*, 58. *Forgery*, 8.

### Promise-Collateral.

7 Gul. 3. Seff.  
1. c. 12.

**N**O Action shall be brought against an Executor or Administrator on a special Promise for the Debt, &c. of the Testator, &c. out of his own Estate, nor charge any Defendant for the Death of another, nor on any Agreement of Marriage, or for any Sale or Contract for Lands, nor any Agreement not to be performed within one Year, unless the same be reduced into Writing and signed.

**Property.** Vid. *Execution*, 7. *Fairs*, 7. *Tories*, 12.

**Proprietors.** Vid. *Ships*, 24.

**Prorogation.** Vid. *Parliament*, 15.

### Protection.

3 E. 2. c. 3.

**N**ONE but the King or Lords of Franchises to grant Protection.

## Protection.

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- 2 No Protection (*quia profecturus*) grantable under the Great-Seal, 18 H. 6. c. 4. before Affidavit be made of the Truth thereof.
- 3 The Defendant tarrying for 6 Weeks after the Protection, to be void, (without reasonable Cause) and the Plaintiff to have a Writ of Disceit against him.  
Vid. Coals, 7. Provisors, 1.

## Protestant Subjects.

- 1 **P**ERSONS of the Protestant Religion not liable to Loss or Forfeiture, by reason of being out of *Ireland* since the 25th of *Seff. 2. c. 9. Eng.* December, 1685. 1 Gul. & M.
- 2 *Irish* Protestants are restored to their Lands and Possessions, &c.
- Protestant Strangers.** Vid. *Plantation*, 2, &c.
- Protestants.** Vid. *Ability*, 6, 10. *Forfeited Estates*, 8, 9. *Marriages*, 4, 7. *Militia*, 7. *Oaths*, 12. *Premunire*, 3. *Solicitors*, 10, 17. *Tories*, 1.
- Protest.** Vid. *Bills of Exchange*, 1, &c.
- Probers.** Vid. *Approver*.
- Proviso-man.** Vid. *Settlement*, 2.
- Provisions.** Vid. *America*.

## Provisors.

- 1 **P**URCHASING a Provision from *Rome* for an Abbey, &c. to be out of the King's Protection, &c. 25 E. 3. St. 5. c. 22. Eng.
- 2 This Statute was made to prevent Collations to Benefices in *Eng-land* by the Pope, to the Provisors or Procurers, as well Aliens as Deni- 25 E. 3. St. 6. c. 1. Eng.zens, Fine and Imprisonment was the Punishment.
- 3 None shall take a Benefice of an Alien, on Pain of *Premunire*. 3 R. 2. c. 3. Eng.
- 4 Persons going out of the Kingdom to procure a Benefice in *England*, shall be out of the King's Protection, and the Benefice 12 R. 2. c. 15. Eng.void.
- 5 None shall purchase *Bulls* from *Rome*, on pain of a *Premunire*; 16 R. 2. c. 5. Eng.the Crown of *England* is subject to none.
- 6 Religious Persons purchasing *Bulls* from *Rome* (to be exempted 2 H. 4. c. 4. Eng.from Tythes) to incur a *Premunire*.
- 7 All *English* Statutes against Provisors, to be put in Force in *Ire-land*. 32 H. 6. c. 1.
- 8 If any sue for a Provision against a Beneficed Parson in *Ireland*, he shall forfeit 20*l.* and treble Damages.
- 9 Accepting a *Bull* from the Pope to hold in *Commendam*, shall forfeit the Value of the Benefice, and be out of the King's Protection, and the King shan't pardon him; the Dean and Chapter shall in six Months collate to such Benefice, if of the Of- 7 E. 4. c. 2.fenders on Collation.



7 E. 4. c. 3. **The King's Patent of Pardon to Persons claiming a Benefice by the Pope's Bull, where 'tis full of an Incumbent, shall be void.**

10 H. 7. c. 5. **All Statutes against Provisors to be put in Force, and the Justices in Sessions to enquire of them.**

**Proxies.** Vid. Oaths, 7.

**Prunes.** Vid. Ships, 12.

**Publick Money.** Vid. Grand-juries, 15.

**Punchion.** Vid. Coin, 14.

**Purchase.** Vid. Papists, 25, 26. Spiritual Persons, 7, 19.

**Purchaser.** Vid. Ability, 4. Advowson, 5. Forfeited Estates, 2, &c. Fraudulent Conveyance, 3. Judgments, 4. Papists, 25. Recognizance, 16, 18.

**Purgation.** Vid. Clerk, 2. Clergy, 1, 3.

**Purgatory.** Vid. Patrick's-purgatory.

### **Purprestures.**

4 E. 1. c. 4 Eng. de Bigamis. **Purpresture or Usurpation upon the King, shall be referred, but the Party shall have Right done him.**

**Purloining Goods.** Vid. Customs, 82.

### **Purveyors.**

20 H. 6. c. 8. Eng. **Purveyors that take Goods, &c. under 40s. Value, may be resisted, and the Constables, &c. to assist in resisting them, on pain of Forfeiture of the Value of the Goods and double Damages.**

18 H. 6. c. 1. **No Purveyors shall be in Ireland, but the Governors to pay for the Goods, or the Owners may resist, and all English Statutes against them to be in Force.**

**Prepender.** Vid. Fairs, 4.

**Quarts.** Vid. Game, 8.

### **Quakers.**

8 An. c. 3. **QUAKERS producing a Certificate, signed by 6 of their Society, and making and subscribing the Declaration (as in this Act) to be exempted from the Penalties in the Act, (which see in Tit. Papists, 43, 55.)**

2 Geo. 1. c. 9. **This Statute not to extend to making Quakers liable to pay as Papists or Non-jurors.** Vid. Militia, 10, &c.

6 Geo. 1. c. 6. **Quakers may put in their Answers to a Bill in Chancery or Exchequer, affixing the Affirmation (in the Stat.) thereto at large, signed and witnessed by the Clerk or Attorney, or Solicitor.**

None

## Quakers.

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- 4 None to be deemed a Quaker without a Certificate by 6 of them, of *Post*, 6.  
his being such for 3 Years before. (*Post*, 6. 5 Years required.)
- 5 In all Cases where an Oath is required (except criminal Cases, Ju- 1 Geo. 2. c. 5;  
ries, and Offices) Quakers are to make this Affirmation (I A. B. do *Ante*, 3.  
*solemnly, sincerely and truly declare and affirm*) and shall have the Force  
of an Oath and Perjury therein to be punished as in other Cases.
- 6 None to be deemed a Quaker without a Certificate signed by 6 *Ante*, 4.  
of them, of his being such for 5 Years before. (*This Act to be in Force*  
7 Years, &c.)

*Vid. Customs*, 124. *Oaths*, 11. *Religion*, 11.

**Qualification.** *Vid. Fish*, 19. *Game*, 2, 3. *Justice of Peace*, 8.

*Oaths*, 13, 16. *Parliament*, 30. *Religion*, 12. *Schools*, 9. *Ships*, 25.

**Quantum meruit.** *Vid. Civil Bills*, 1.

## Quare Impedit.

- 1 **B**Y this Act this Writ is made possessory for an Heir at full Age, 13 E. 1. c. 5.  
Reversioner, Spiritual Person, &c. on an Usurpation in the *Eng. W.* 2.  
Time of the Ancestor, &c.
  - 2 In a Plea of *Quar' Impedit*, &c. Days shall be given from 15 to 52 H. 3. c. 12.  
15, or from 3 Weeks to 3 Weeks, according to the Distance of *Eng.*  
the Place. *Vid. Post*, 4.
  - 3 If the Disturber come not in on the great Distress, a Writ to be  
sent to the Bishop, that he claim not to the Prejudice of the Plain-  
tiff for that Time. (*Vid. Days in Bank*, 3.)
  - 4 No more than one Essoin to be allowed in *Quar' Imped'*, an At- 1 Geo. 2. c. 23.  
tachment to issue for Non-appearance, and the grand Distress on  
the Return thereof.
  - 5 The Clerk or his Executor, &c. after Recovery or Judgment on  
Demurrer, &c. may file a Bill for an Account of the Profits from  
the Time of the Summons, and shall have a Decree for the same,  
unless the Defendant will, before the Ordinary, make Oath of, and  
pay what he, *bona fide*, made.
  - 6 The Bishop, &c. may make an Allocation to a Curate, during  
a Contest, not exceeding the Thirds of the Profits
  - 7 No Usurpation upon an Avoidance, shall turn to a Right, but  
the Patron may present the next, &c.
  - 8 Join-Tenants, Coparceners and Tenants in common, deemed  
to be seized each of his separate Part of the Advowson, to present  
in his Turn (after Partition made.)
  - 9 This Act to be in Force for 7 Years. Further continued to the  
25th of March, 1740, by 7 Geo. 2. c. 7.
- Vid. Advowson*, 1, &c. *Days in Bank*, 2, 3. *Essoin*, 1. *Limitation*,  
9. *Recovery*, 4.

K k 2

**Quarrels.**



**Quarrels.** Vid. *Maintenance*, 2.

**Quarentine.**

8 Geo. 1. c. 8.  
Eng.

**A**N Act to enable the King to prohibit Commerce for one Year, with any Country that shall be infected with the Plague, and for shortening the Continuance of Quarantine, *which see by the 9 An. c. 2. Eng.*

6 Geo. 2. c. 34.  
Eng.

The King by Proclamations, to be issued before the 24th of June, 1734, may prohibit any Persons to go from *Great-Britain* or *Ireland*, &c. to Places infected with the Plague, or may prohibit Persons coming from infected Places to *Ireland*, &c.

And Persons offending or acting contrary to such Proclamation, to be guilty of Felony without Clergy, and to forfeit Ships and Goods. The General Issue pleadable, and treble Costs given. See the further Rules, Directions and Prohibitions in the Stat. at large.

Vid. *Dower*, 1.

**Quartering.** Vid. *Soldiers*, 10, 12, 13.

**Quarter-parts.**

4 Geo. 1. c. 14.

**T**HE See of *Tuam* is, by this Act, divested of the *Quarta Pars*, and the Bishop may dispose thereof, as in the Act mentioned.

**Quarter of Corn.** Vid. *Weights*, 8.

**Quarter-Sessions.** Vid. *Sessions*.

**Queen.**

1 An. c. 8. Eng.

**T**HIS Act was made for securing the Queen's Person, and to extend to *Ireland*; and also, that no Patent or Grants of Offices, Civil or Military, shall determine by the Death of the Sovereign, but to be in Force 6 Months after, unless in that Time superseded by the Successor.

Vid. *Treason*, 1.

**Queen's County.** Vid. *Counties*, 2.

**Quietus est.** Vid. *Sheriffs*, 25, 43.

**Quit-Rent.**

2 An. Sess. 1.  
c. 4.

**T**HIS Act was made for settling the Arrear of Quit-Rent, due before the Year 1695.

Vid. *Collector*, 2. *Fees*, 15. *Forfeited Estates*, 14.

**Quinto Cractus.** Vid. *Proclamation*, 2, 4.

**Quod ei deforreat.**

13 E. 1. c. 4.  
Eng.

**A** Woman shall be endowed of Lands recovered against her Husband by Collusion or Default, and this is a Remedy for Particular Tenants that lose by Default.

Vid. *Dower*, 4.

**Quod**

## Quod permittat.

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- 1 **T**HIS Writ is granted to the Successor of a Parson (where his Predecessor was disseised) against the Disseisor or his Heir, in like manner as his Predecessor might have a Writ of Novel Disseisin for a Common of Pasture. 13 E. 1. c. 24. Eng. W. 2.

## Quo warranto.

- 1 **B**Y this Act all Cities, Corporations, &c. in Ireland, are restored, and all Proceedings by Quo warranto against them, and all Writs, Seizures, Grants, &c. declared void. 1 Gul. & M. Sess. 2. c. 9. Eng. Vid. Franchises, 4.

**Raisins.** Vid. Ships, 12.

**Rales.** Vid. Hedge-breakers, 1.

**Ram, Abel, Senior.** Vid. Poor-house, 1.

**Randalstown.** Vid. Parish-churches, 2.

**Ranelagh, Earl.** Vid. Archbishop of Dublin, 2.

## Rape.

- 1 **R**avishing, or taking away by Force, any † Maid within Age, with or without her Consent, or any married Woman, Maid at full Age, or any other Woman, against her Consent, was by this Act punishable, by 2 Years Imprisonment and Fine. 3 E. 1. c. 13. Eng. † Vid. Felony, 25.

- 2 If a Man ravish a Woman married, Maid, or other, not consenting before or after, he shall have Judgment of Life and Member; and if she consent after, the like Judgment. 13 E. 1. c. 34. Eng. W. 2.

- 3 The Ravisher and Ravished are both disabled (where she consents after) to challenge any Inheritance. (Vid. Dower, 6.) 6 R. 2. c. 6. Eng.

- 4 By this Act, the above last Act was made in Force in Ireland. (N. B. This was before Poyning's Law.) 8 E. 4. c. 1.

- 5 By this Act, Rape is made Felony, without Clergy. 11, 12, 13 Jac. 1. c. 3.

Vid. Appeal, 6. Clergy, 6. Dower, 6.

**Rapparees.** Vid. Tories, 1, &c.

**Rape-oil.** Vid. Customs, 108. Lights, 7.

**Rape-seed.** Vid. Customs, 108.

**Rasures.** Vid. Amendment, 3. Fine, 13.

**Rates.** Vid. Customs, 142, 145. Inventory, 2.

**Rates of Parish.** Vid. Parish-cesses.

**Reading.** Vid. Clergy, 18. Swearing, 3. Vagabonds, 10.

**Real Actions.** Vid. Summons, 1.

## Rebellion and Rebels.

- 1 **H**onours, Manors, Lands, &c. in Ireland, of Persons convicted or attainted of Treason there, since the 13th February, 1688. 11 Gul. 3. c. 2. Eng. and



and Lands, &c. belonging to King *Jac. 2.* in *Ireland*, and Judgments, Extents, Mortgages, Goods, Chattles, &c. which were in the Possession of such Persons convicted on said 13th February, to be vested in Trustees, and sold, &c.

Grants, &c. under the Great Seal, or by Act of Parliament, in *Ireland*, of any of the said forfeited Estates, declared void.

Grantees not accountable for Profits of such Lands received.

Persons who have surrendered such Estates, and accepted new Grants thereof, restored.

Not to prejudice Persons comprized in the Articles of *Limerick* or *Galway*.

Nor the Personal Estate of those who have submitted.

Trustees to take the Oaths, 1 *Gul. & M.* and the Oath herein expressed.

And may appoint Registers, Clerks, &c. who shall be sworn: Trustees not to be Purchasers, to meet at any place in *Ireland* where they think fit, &c. and examine on Oath, &c. and inform themselves of all Estates forfeited, and how incumbered: Persons refusing to appear on Summons, to be imprisoned.

Persons discovering Rebels Debts, on paying 2 Thirds, shall be discharged of the whole; but neglecting to discover, to forfeit double; a 4th part of Goods or Chattles allowed on Discovery; on Neglect, to forfeit double, &c. Allowances of *5 s. per lib.* to Persons not indebted, discovering Estates of Goods, &c.

Personal Estates sold by the King's Commission, good.

Persons not convicted before the End of *Trinity-term, 1701.* shall not be prosecuted for the *Irish*-rebellion.

*Vid. Holt's  
Blades.*

Claims to be entered with the Trustees, by 15th *August, 1700.* or else to be void.

To be written in Parchment, signed by the Claimant, and testified by 3 Witnesses, and expressing the Particulars, &c. all Claims to be registered, &c.

Claimants to answer upon Oath, and produce Writings and Witnesses; Judges to administer Oaths to Persons residing in *England*, &c.

Penalty on Persons making false Claims, or Witnesses wilfully forsworn.

Trustees a Court of Record, and their Judgments final; and on Allowance of Claim, to give Certificates thereof, which shall never be called in question.

Conveyances made after 29th *May, 1686.* by Persons since convicted, void, except Settlements before Marriage.

How Incumbrances shall be allowed: Debts due to Persons convicted, and paid to Grantees, Debtors discharged for so much as really

really paid, and Grantees to re-pay the same into the *Exchequer*, on Penalty.

20 Money received to be paid into the *Exchequer* in *Ireland*, and Trustees to discharge the Parties.

21 Inventories to be made of all forfeited Goods and Chattles, and the same to be sold by Auction.

22 Trustees before the 25th of *March*, 1702. to sell Estates not claimed, those claimed, so soon as determined, giving 14 Days notice of Time and Place, of Sale, Manner and Conditions.

23 Any may purchase such Estates, and hold the same to them and their Heirs, &c. Vid. forfeited Estates, 8. cont.

24 Conveyances to be inrolled in 6 Months after Date, Purchasers to enjoy the same, Free from all Arrears of Quit-rent, &c. due before the Conveyance, and to be held of the King in Soccage, subject to Quit-rent formerly paid, purchase-Money not paid in by the time appointed, Buyer to forfeit a 5th part.

25 In what cases an Abatement of Quit-rent shall be valid.

26 How forfeited Estates incumbered may be sold.

27 Persons possess'd of Lands vested in Trustees, to give account thereof, on Penalty, on non Payment of Rent, Trustees may direct Prosecution in name of the King's Attorney-General.

28 How Fines shall be sued for, and how applied.

29 No Protection, &c. allowed to stay Prosecutions on this Act.

30 Trustees not accountable for any Rents, &c. of the said Estates, &c.

31 Purchasers under Grantees, since 13th of *February*, 1688. discharged of Money unpaid.

32 Further Allowance to them of 21000 *l.* who prove Payment of their Money.

33 Trustees to certify Proportions to every Purchaser, and no Allowance to be made to those already re-imbursed.

34 Receivers of Purchase-Money to re-pay Surplus.

35 Persons who have entered on forfeited Estates, without Grants thereof, to answer the Profits, or on default, to forfeit double.

36 On discovery thereof they are discharged.

37 Penalties on Persons who have committed Spoil or Waste since the 10th of *May*, 1695.

38 Estates not to be charged with Arrears of Rent, &c. during the late War.

39 In case of the Death of a Trustee, the Survivors to execute this Act.

40 What Debentures, Tallies, &c. shall be taken in discharge of Purchase-Money.

41 Money how to be applied, and Penalty on Misapplication.

42 Allowance to the Commissioners and to their Secretary, &c.

Allowance



**Rebellion, &c.**

Allowance of 1500 *l.* per *Ann.* to each Trustee, payable quarterly, 44  
Monies to be impressed for Officers Salaries, &c. out of the *Exchequer* at *Dublin*.

Trustees may raise so much Monies on Sale of Lands, &c. to 45  
defray Salaries and incident Charges. &c. and if any Surplus, to  
transmit the same to the *Exchequer* in *England*: Salaries, &c. not taxable.

Officers who have taken Grants of Estates in lieu of Arrears of 46  
Pay, &c. and discharged the King for the same, shall be entitled to  
such Arrears so discharged, as if no such Release had been made.

Trustees may convey Church-Livings forfeited to such Persons, 47  
as the Bishop of the Diocese shall name.

Not to make void the King's Grant of 1500 *l.* for repair of 48  
Churches in *Limerick*, nor Earl of *Rumney's* Grant of a Piece of  
Ground in *Cork*, whereon a new Church is erected.

Nor vacate the King's Grant to Colonel *Richard Gorge*. 49

*Charles Lord Baltimore*, being Out-lawed by mistake, may reverse 50  
the same.

*Edward Geobegan*, restored in Blood and Estate, a Saving in this  
Act for Lady *Kenmure*, Lady *Slane*, Sir *Thomas Pendergrast*, *Francis*  
*de la Rue*, Doctor *Lesly*, *John Barker*, *James Roch*, Sir *Christopher*  
*Wansford*, the Children of Sir *Charles Porter*, Lord *Kenmure's* Daugh-  
ters, Earl of *Clancarty's* Daughters, Baroness Dowager, of *Ossory*, to  
Sect. 63.

Debts owing to Persons attained from *James Duke of Ormond*, 64  
remitted to him.

Vid. *Fraudulent Conveyance*, 2, *Out-lawries*, 2.

**Rebellious Assembly.** Vid. *Parliament*, 22.

**Receivers and Receipt.** Vid. *Accounts*, 4. *Distress*, 22, *Exi-*  
*gent*, 2.

**Receipt.**

13 R. 2. c. 17.  
*Eng.*

IF Tenant for life in Dower, &c. be impleaded, the Reverfi- 1  
oners shall be received to defend the Title, but shall give Security.

Vid. *Amerciament*, 9. *cui in vita*. 1, 2. *Forgery*, 8.

**Recognition.** Vid. *Crown*, 9, 11.

**Recognizance to the King.**

34 H. 8. Seff. 1.  
*Cap. 2.*

PERSONS in the King's Service to oppose Insurrections, 1  
&c. and being bound by Recognizance to appear at a certain  
day in Court, may have a Writ to the King's Courts or Sessions,  
to discharge the Forfeiture, (except it be for breach of the Peace)  
but he must appear at his Return from such Service.

Vid. *Ale-house*, 4, 5. *Coroners*, 7. *Examination*, 2. *Fees*, 24. *Gam-*  
*ing*, 9. *Justices of Peace*, 9. *Register*, 7. *Sheriff*, 36.

**Recog-**

## Recognizances and Statutes Merchant and Staple.

265

- 1 **T**HE Merchant shall cause his Debtor to come before the Mayor, &c. to acknowledge the Debt and Day of Payment, which Recognizance shall be inrolled, and an Obligation to be written, with the King's and the Debtor's Seal thereto. 11 E. 1. Acton  
Burnel, and  
13 E. 1. Stat.  
de Mercat.  
Eng.
- 2 If the Debt be not paid at the Day, the Mayor, &c. may cause the Debtor to be imprisoned, till he agree the Debt.
- 3 If the Debtor cannot be found, the Mayor to certify the Recognizance into *Chancery*, from whence shall issue a Writ to the Sheriff, where the Debtor is, to take his Body; and if he does not satisfy the Debt in three Months, his Lands and Goods to be delivered on a reasonable Extent, to hold till the Debt be levied; nevertheless, his Body shall remain in Prison, but the Merchant Creditor to find him Bread and Water. Re-Post, 3.
- 4 The Merchant on (*non est inventus*, returned) may have Writs to all Sheriffs, where the Debtor has Lands, and which shall be chargeable, into whose Hands soever they come, if thereof seized at the time of the Recognizance.
- 5 This Statute to be observed in *England* and *Ireland*.
- 6 Another Seal to be provided to be sent to Fairs, by a sworn Clerk. (*See the Form of the cap. in the Statute.*)
- 7 This Statute directs the Staple of Wooll, &c. to be held for *Ireland*, at *Dublin*, *Waterford*, *Cork* and *Drogheda*. (*Vid. Ships*, 4.) 27 E. 3. Stat.  
2. cap. 1. Eng.
- 8 The Mayor of the Staple, in Presence of the Constable of the Staple, may take Recognizance for Debt, and there shall be a Seal remaining with the Mayor, and on default of Payment on such Obligation, the Mayor may imprison the Debtor, and arrest and sell his Goods to pay the Debt; and if the Debtor be not found within the Staple, the Mayor to certify the Obligation into *Chancery*, from whence a Writ shall issue against his Body, Lands and Goods, as *Ante*, 3. Ibid. cap. 9.
- 9 No Merchant or other, shall lose his Goods for the Offence of his Servant, done without his Command. (*Vid. Ships*, 1.) Ibid. cap. 9.
- 10 In every Staple-Town there shall be a Mayor and two Constables established, to be chosen by the Commonalty of Merchants. Ibid. cap. 21.
- 11 The most sufficient Lord to be assigned to aid the Staple, but Appeal lies to the Privy-Council or Lord Lieutenant.
- 12 Mayors and Constables of the Staple, to have Cognizance of Debts, Covenants, Contracts, &c. touching Merchandize. 36 E. 3. c. 7.  
Eng.
- 13 Officers of the Staple, to be first sworn to the King, and then to the Staple. 14 R. 2. c. 4.  
Eng.
- 14 The Mayor of the Staple, taking a Recognizance contrary to the Statute, to forfeit half the Sum to the King. 15 R. 2. c. 9.  
Eng.



11 H. 6. c. 10. Eng. Persons suing a *Scire Facias* in Chancery, to defeat an Execution on a Statute-Staple, to find Surety, both to the King, and Recognizee to prosecute, &c.

10 Car. 1. Sess. 2. c. 3. The Tenor and Contents of all Statutes Merchant and Staple, in six Months after Acknowledgment, to be entred in the Office of the Clerk of the Recognizance in Chancery; and such as is not within four Months delivered to be entered, shall be void against Purchasers.

Said Clerk, on pain of 20*l.* to make due Entries of such Statutes, and endorfe the Day, Year, and his own Name thereon.

7 Gul. 3. Sess. 1. cap. 12. No Recognizance shall bind a Purchaser (*bona fide*) but from the Inrolment.

6 Geo. 1. c. 6. All Recognizance taken in B. R. C. B. or Exchequer, and the Book wherein entered, to be delivered at the End of every Term, to the respective Prothonotaries, and Chief Remembrancer, by the Judges.

8 Geo. 1. c. 6. The Prothonotaries of the Chief Place and Common-Pleas, Clerk of Pleas of the Exchequer, and of the Recognizance in Chancery, to give Certificates, when desired, of what Judgments, Statutes, &c. is, or is not entered, against the Person then searched for only, and no other; if herein guilty of Fraud or Neglect, they shall make Damages good to the Party.

Vid. Civil Bill, 9. Court of Wards, 8. Error, 4, 10. Fees, 4, 13, 37. Felony, 57. Limitation, 18. Recoveries, 3.

Recordari. Vid. Distress, 10.

### Records.

9 E. 3. c. 5. Eng. JUSTICE of Assize, Goal-Delivery, &c. yearly, at Michaelmas, to send all their Records and Processess, executed into the Exchequer, but the Estreats to be sent as usual. (Vid. Estreats.)

Vid. Accusations, 6. Amendment, 3. Customs, 149. Felony, 6. Justices of Goal-delivery, 3. Riot, 2. Solicitors, 7.

### Recoveries.

33 H. 8. Sess. 1. c. 11. A Termor for Years, may falsify a feigned Recovery for his Term only, and shall enjoy against his Lessor.

And the Recoverer hath like Remedy against the Termor, for the Rent, Waste, Services, &c. as the Lessor had.

No Statute Staple or Merchant, or Tenant by Elegit, shall be prejudiced by such Recovery.

33 H. 8. Sess. 1. c. 13. By this Act the Recoverer may bring *Quare Impedit*, as the Lessor, &c. might before, and have all other Remedies for Rent, &c. and may have Damages and Costs.

10 Car. 1. Sess. 3. c. 11. All Recoveries against Tenant for Life, Courtesy, in Tail, after Possibility, &c. or wherein they are vouched by Agreement or Covenant, shall be void against the Reversioner or Remainder-man, unless they assent thereto

The

## Recoveries.

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- 6 The Owner of any Lands, &c. tho' Lett for Lives, may make a Tenant to the *Precipe*, and suffer a common Recovery, as if no such Lease had been made. 6 Geo. 1. c. 6.

Vid. *Actions popular*, 1. *Days in Bank*, 8, 9, 12. *Felony*, 57. *Fine*, 13, 16, 18. *Fraudulent Conveyance*, 7. *Inrolments*, 3. *Limitation*, 3. *Trusts*, 4. *Uses*, 1.

## Rectories Improprate.

- 1 ALL Rectories *Improprate*, with Tythes, Oblations, &c. in *Ireland*, vested in Trustees by 11 Gul. 3. Eng. and since granted or restored in Favour of any Persons, by any subsequent Acts, &c. 5 An. c. 25. Eng. Vid. Rebellion. Such Persons to be hereby divested thereof, and to be vested in Trustees.

- 2 By this Act all Statutes relating to the forfeited Estates in *Ireland*, are declared publick Acts.

Vid. *Advowson*, 10. *Forfeited Estates*, 10. *Parish-Churches*, 42.

**Rectories and Rectors.** Vid. *Appropriations*, 2. *Glebes*, 16, 21.

*Leases*, 7, 15. *St. Andrew's*, 3. *Spiritual Persons*, 11. *Union*, 1.

**Recusants.** Vid. *Forfeited Estates*, 23. *Marriages*, 7.

**Red-deer.** Vid. *Cloth*, 4. *Felony*, 64. *Game*, 20, 21.

## Redisseisin.

- 1 WHERE a Person is disseised of his Freehold, and restored and possessed by the Sheriff, if after he shall be redisseised by the same Offender, he shall be imprisoned till the King discharge him by Redemption. 20 H. 3. c. 3. Eng. and 52 H. 3. c. 8. Eng.

- 2 Double Damages to be awarded in Writs of Redisseisin.

**Reeds.** Vid. *Linen-Manufacture*, 61.

**Referees.** Vid. *Arbitration*, 1.

**Reel.** Vid. *Linen-Manufacture*, 2, 41.

**Re-entrp.** Vid. *Rent*, 27.

13 E. 1. c. 26. Eng.

## Register.

- 1 A Publick Office for registering Memorials of Deeds, Wills, &c. is by this Act established in *Dublin*, the Register to continue whilst he behave faithfully, and on his Death, his Executors or Sureties to appoint one till another is nominated. 6 An. c. 2.

- 2 All Deeds, &c. made after *March*, 1708. may be registered at the Election of the Party, and shall be good, according to its Priority against all other Dispositions of the same Lands, &c. Vid. Post, 13.

- 3 Conveyances, &c. not registered, shall be deemed fraudulent against Deeds, &c. registered, and against Creditors, by Judgment, &c.



**Register.**

Memorials to be written on Parchment, and directed to the Register, and (in case of Deeds) to be executed by the Grantor or Grantee, Guardian or Trustee, attested by 2 Witnesses, whereof one witnessed the Deed, and he shall prove the Execution of the Deed and Memorial, by Affidavit before the Register, &c. also the Time of Delivery of such Memorial to the Register.

Memorials of Wills to be executed by one of the Devisees, Guardian or Trustee, attested by 2 Witnesses (one by Affidavit to be filed with the Register, and sworn before him, &c.) to prove the Execution of the Memorial.

Memorials to contain the Day, Year, Names and Additions of Parties, Devisors, Witnesses, the Lands, Counties, &c. where situate, the Deed or Will to be † produced to the Register, and he to indorse a Certificate thereon, which shall be Evidence.

† *Post*, 15.

The Register to keep an alphabetical Kalender of all the Counties, &c. and of the Names of Parties, and duly to file all Memorials, (*See his Oath in the Stat. at large*) and on entering on his Office, to enter into a Recognizance in the Exchequer, with 2, &c. Securities of 20,000 *l.* to the Crown for faithful Performance, and said Recognizance to be void in 3 Years after his Death or Removal (no Misbehaviour in that time appearing.)

*Post*, 19.

The Register, &c. to give daily Attendance, and suffering fraudulent Practices, to forfeit his Office and treble Damages, with full Costs.

This Act not to extend to a Lease for 21 Years or under in Possession.

Where there are several Deeds, &c. affecting the same Lands, being but one Conveyance, once mentioning the Lands, &c. and the Dates of the rest and Parties Names shall be sufficient in a Memorial.

Above 60 Miles from *Dublin*, Affidavit of the Memorial may be before a Justice of Assize, Sessions, or one Commissioner in presence of 2 Justices of Peace, who are to subscribe as Witnesses thereto.

† *Post*, 16.

† Forging a Memorial or Certificate, is liable to the 28 *El. c.* 3. *Vid. Forgery.*

Devisees without wilful Default, have 6 Months after Impediments removed, to register the Will, and the Registry then shall be sufficient.

A Register absent from *Ireland* above 3 Months in the Year, unless for his Health, to forfeit the Office.

8 *An. c.* 10.

Affidavit of the Execution of Memorials in *Great-Britain*, to be made before a Judge at *Westminster*, Master in Chancery, or at Sessions,

- Sessions, and in this case the Deed, &c. need not to be produced to the Register. *Ante. 6.*
- 16 The Register, &c. on a Certificate (signed and sealed by a Mortgagee, proved by Affidavit of one of the Witnesses thereto) of Money being paid, to enter Satisfaction in the Margin of the Memorial of such Deed of Mortgage, and file the Affidavit and said Certificate. Forgery and Perjury herein punished as in other Cases. These to be deemed publick Acts. *Post, 20.*
- 17 Where the Grantees or Devisees die before executing a Memorial, the Heirs, Executors, &c. may execute the same by this Act, and the Place of Abode of the Witnesses to the Memorial, not witnessing the Deed, to be inserted. *Post, 21.*
- 18 Persons requiring a negative Certificate from the Register, to lodge a Note in Writing with him (*which see in the Stat.*) and thereupon the Register is to give a negative Certificate. (*which see also in the Statute.*) *Geo. 1. c. 15.*
- 19 Register, &c. guilty of Fraud or Delay in such Certificate, shall make Damages good to the Party suffering thereby, with full Costs.
- 20 Where Payment of Mortgage-Money cannot be proved, a Certificate signed and sealed by the Mortgagee, &c. attested by 3 Witnesses, of the Payment of the Money; and the Mortgagee, &c. making Affidavit that he knows of no other interested in said Mortgage, and the Witnesses proving said Certificate, and on producing the Original Mortgage cancelled, or Certificate of the Mortgagee, &c. of its being lost or destroyed, the Register to enter Satisfaction. *Ante, 16.*
- 21 Forgery and Perjury punished on this Act as in other Cases; and this a publick Act.
- 22 All Deeds, &c. made by Tradesmen or Shop-keepers, whereby their Goods, &c. after their Death are chargeable with any Sums for the Use of the Wife or Children, shall be void against the Creditors of such Tradesmen, &c. unless the same be registered within 4 Months from the making. *Geo. 2. cap. 4.*
- Vid. Bankers, 5. Coaches, 2, 10. Customs, 91. Fees, 1, 12, 34. Papists, 40, 41. Parliament, 90. Poor-House, 4. Porters, 1. Rent, 24. Ships, 25, 26. Spiritual Persons, 12. Solicitors, 12, 17. Wool, 19.
- Register of Small Debts. Vid. Small Debts, 1, &c. Fees, 34.
- Regeators. Vid. Corn, 2, Foresters, 3. Victuals, 2.
- Regulars. Vid. Marriages, 11. Papists, 10, 51, 52, 54.
- Relapse to Popery. Vid. Education, 6. Premunire, 3.
- Release. Vid. Actions popular, 2. Administrator, 3. Forgery, 3.
- Twentieth-Part, 2.
- Reliefs. Vid. Court of Wards, 1. Settlement, 5. Tenants, 2.



6 Geo. 1. c. 5.  
Post, 6.

**T**HE Stat. 2. El. (Vid. *Uniformity*) not to extend to Protestant Dissenters who shall take the Oaths, &c. (which see in this Act) viz. Allegiance, Supremacy, and Abjuration, and subscribe the Declaration.

The Justices in Sessions are required to administer the Oaths, &c.

Dissenters in their Meetings locking the Doors, the Preacher to forfeit † 10 l. and others, 10 s. to be recovered by civil Bill, to the Informer and Poor.

† *Quer. If Quakers in a silent Meeting lock the Door who pays the 10 l.*

Not to extend to exempt Dissenters from paying Tythes, &c.

Dissenters chosen into a Parochial Office, may appoint Deputies, and shall answer for them, but such Deputy may be refused by the Ordinary the second Year.

Teachers, or Preachers of Dissenters, taking said Oaths, &c. not liable to the 17, 18, Car. 2. Vid. *Uniformity*, 12.

Dissenting Ministers exempted from being on Juries, Church-Wardens, &c. but must frequent some religious Worship on the Lord's-Day.

This Act not to give any ease to Papists or Persons denying the Trinity.

Persons disturbing any Congregation hereby permitted, shall forfeit 20 l. at Sessions.

No Place of Meeting to be allowed before the same be certified to the Bishop, &c. or to the Sessions.

Quakers subscribing the Declaration, in this Act mentioned, to have the Benefit of Dissenters.

Dissenters qualifying themselves within this Act (during any Prosecution against them for Non-conformity) before 2 Justices of Peace shall have the Benefit of this Act.

Vid. *Ability, Tories*, 2, 4.

### Religious Houses.

28 H. 8. c. 16.

**B**Y this Act, several Monasteries and religious Houses (which see in the Stat. at large) are given to the King, &c. as ample as the Governors held them with all their Ornaments, Jewels, Estates, King's Patentees to hold them pursuant to the Tenor of their Patents, and may have the same Remedy as the Governors had.

Feofments, &c. made by such Governors in 2 Years next, before this Act, declared void.

The Right of Founders, Patrons, and Donors, is by this Act saved.

The King's Lessees to keep a Farm-Horse on the Sites on pain of 5 l. per Quarter, to be imposed at the Sessions.

Not

## Religious Houses.

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- 5 Not to prejudice the Bishop of *Dublin* in his Patronage, Collation &c. in the Abbey of *Taghmolimbeg*, nor the Vicars, Chorals of *St. Patricks Dublin*, for the Tythes, &c. of *Kennegh*.
  - 6 The Corporation of *† St. John of Jerusalem* in *England* and *Ireland*, is by this Act dissolved, and the King to have their *Eng. † Post, 13.* Estates.
  - 7 All religious Houses dissolved, or to be dissolved, and their Estates, &c. are by this Act declared to be in the actual Possession of the King, &c. but not to prejudice Leases, &c. *33 H. 8. Sess. 2. cap. 5.*
  - 8 The King's Lessees, &c. to pay their Rents into the *Exchequer*, and to be distrained on default of Payment.
  - 9 Leases and all other Conveyances, made 2 Years next before the Dissolution (except Mills) declared void.
  - 10 Rents, Marts, or Port-Corn payable to the Governors, and still subsisting, to be payed to the King, his Lessees or Grantees.
  - 11 Abbies, &c. discharged of Tythes before the Dissolution, to continue discharged as ample as the Governors held them.
  - 12 Abbies, &c. before the Dissolution, exempt from the Visitation of the Ordinary, shall now be visited by him.
  - 13 The Patent made by King *P. and M.* to *Sir Oswald Messingborde*, of the Hospital of *St. John of Jerusalem* in *Ireland*; and all Bulls, &c. concerning the same, are by this Act to cease, and the same is declared to be vested in the Queen, and all Grants, &c. by the said *Sir Oswald*, the prior declared void. *2 El. cap. 7.*
- Vid. *Ability, 4. Education, 1. Leases, 1. Letters-Patents, 7. Mortmain, 1.*

**Religious Persons.** Vid. *Ability, 4. County-Courts, 2. Mortmain, 4. Provisors, 6.*

**Remainders.** Vid. *Ability, 7. Fine, 10.*

**Remedy.** Vid. *Chancery, 2. Recoveries, 2. Rent, 16. Schools, 13. Tythes, 9, 21.*

## Remembrancer.

- 1 **N**O Remembrancer or Deputy, shall issue any Writ against a Person that hath a Discharge for the same Thing on Record in the *Exchequer*, on pain of treble Damages. *28 H. 6. Sess. 2. cap. 1.*

Vid. *Clerk of the Remembrancer. Exchequer, 7.*

**Removing Courts.** Vid. *Common-Pleas, 1. Exchequer, 9.*

**Removing Records.** Vid. *Certiorari, Hab. Corpus, per tot.*

**Renewal.** Vid. *Civil Bills, 14, 23. Leases, 11, 12, 18.*

## Rents.



10 Car. 1. Sess.  
2. c. 5.

**E**Xecutors and Administrators of Tenants in Fee-simple, Tail, or for Life, may bring Action of Debt for Rent unpaid at the Death of the Testator, &c. or may distrain for the same as long as the Lands continue in the Demesne of the same Tenant, &c.

And the Husband after the Death of his Wife may have the like Remedy for Rent of her Lands unpaid before her Death.

The like Remedy against Tenants *pur auter vie*, where the *c'est* *93 vie dies.*

9 An. c. 8.

No Goods, &c. shall be removed from off any Lands, &c. or taken in Execution, unless the Party pay the Rent due to the Landlord, &c. not exceeding one Year, and then the Sheriff may execute.

The Landlord to make Affidavit thereof, if required, before the Sheriff or Justice of Peace.

The Landlord in 5 Days may seize the Goods, &c. of any Lessee, &c. conveyed off the Premises for his Rent, and dispose thereof as if distrained on the Lands, &c. except the same were *bona fide* sold.

An Action of Debt may be brought for Rent, on a Lease for Life, as on a Lease for Years.

The Landlord may, in 6 Months after the Determination of any Lease, distrain for his Rent, if his Title and the Tenants Possession subsist.

11 An. c. 2.  
† Post, 18.  
† Post, 26.

Where a half Year's Rent is due, and no † Distress found, the Landlord having Right to † re-enter, may bring Ejectment for the Premises, without any formal Demand; and the Lessee, &c. suffering Judgment, not paying the Rent, or filing a Bill in 6 Months after, shall be barred other than by Error.

Post, 24.

On Verdict for Plaintiff or Defendant or Non-suit (except for not confessing Lease, Entry and Ouster) full Costs is given.

† Post, 29.

The Right of a Mortgagee of such Lease not in Possession, not barred, (Vid. Post, where it must be Registered.)

The Lessee, &c. filing a Bill, shall not continue an \* Injunction, unless in 40 Days after full Answer by the Lessor of the Plaintiff he lodged in Court, the Rent in said Answer sworn to be due and taxed, Costs, &c. which may be paid out on Security to the Landlord.

The Landlord entering, shall be accountable to the Lessee for no more than what (without Fraud) he made of the Premises, whilst actually in Possession, and the Lessee to make good the Surplus of the Rent in that time, if it come short.

On Payment or Tender of the Rent and Costs before Trial, the Ejectment to cease, and if the Lessee after Judgment be relieved in Equity, he may enjoy without a new Lease.

Affignees

- 15 Assignees of all the Residue of the Term for Lives or Years, shall be subject to all Covenants in the Lease.
- 16 By this Act the same Remedy is given by Distress, &c. for Rent-seck, Rent of Assize, and Chief-Rent, as for a Rent-charge.
- 17 The Rights of Infants, *Feme-coverts*, &c. not to be prejudiced. *Post, 20.*
- 18 The Landlord, &c. from whom a Distress is rescued, may bring Ejectment as if no Distress was found on the Premises, and on Non-payment of the Rent and Costs, &c. in 6 Months after Judgment, the Lessee, &c. is barred in Law and Equity, (except by Error only) and the Premises discharged of the Lease. *4 Geo. 1. c. 5.*
- 19 Where one Year's Rent is behind, though a Distress is found, the Landlord may bring Ejectment, and the Sum in Arrear shall be ascertained by the Judge or Jury, and on Non-payment thereof on Demand, or depositing the same in 6 Months after, on filing a Bill in Equity, the Lessee, &c. shall be barred as aforesaid, (the Proceedings to be as on the 11. *Ante, 9.*) *Ante, 9. Post, 26.*
- 20 A Saving here for † Mortgagees not in Possession, and for Infants, &c. *† Post, 23, 24.*
- 21 On Ejectment brought, Notice must be given if the same is brought for Non-payment of Rent, and on Proof of the † Counter-part of the Lease and Possession for 3 Years, or shewing a Title, and that a Year's Rent is behind, the Plaintiff shall recover as by the former Act. *8 Geo. 1. c. 2. † Post, 28.*
- 22 In 4 Days after Tender of a Writ of Error, the Sum due is to be deposited in Court, and to be paid on Security to the Plaintiff, or else the Execution to issue.
- 23 If a Mortgagee of a Lease, being duly summoned, do not pay the Sum due to the Landlord, &c. in 9 Months after Judgment, he is barred; and the Landlord, &c. shall hold the Premises discharged of the Mortgage.
- 24 The Landlord, &c. may proceed in his Ejectment to Execution, and not summon any such Mortgagee unless the Mortgage be registered, and all such Mortgages shall be registered in Six Months after Perfection, and on default thereof, the Landlord to proceed to Execution, without Summons to the Mortgagee. *Ante, 11.*
- 25 On Oath of † Rescue before a Justice of Peace, he is to order Constables by Warrant to take with them a sufficient Number of Persons to assist, to distrain again, and convey the same to a Pound, the Party leaving a Sum of Money in the Justices Hands for their Trouble, which is to be deducted out of the Distress. *† Vid. Pound-Breach.*



The Justice shall in like Manner appoint like Persons to watch 26  
Corn or Hay distrained till sold, allowing them 1 s. 6 d. for a Day  
and Night, each to be first deposited; a Moiety whereof to be  
at the Landlord's Charge, and the other out of the Sale of the  
Distress.

5 Geo. 2. c. 4.  
Ante, 9, 18.

Ejectment may be brought for Non-payment of Rent, tho' 27  
there be no Clause of Re-entry in the Lease, &c. and the Lessor  
or Landlord shall have the same Remedy for Arrears of Rent, due  
before the Ejectment, to the Time of Execution, as if no Eject-  
ment had been brought.

Where it appears to the Court that no Counter-part of a Lease, 28  
&c. was perfected, or that the same is lost or mislaid, the original  
Lease, or a Copy thereof, or of the Counter-part, may be given  
in Evidence on Trial of an Ejectment for Non-payment of Rent.

The Plaintiff in Equity shall get no Injunction (for want of an An- 29  
swer) to stop Proceedings on an Ejectment, Action or Distress for  
Rent, unless he verifies the material Allegations of his Bill by Af-  
fidavit.

Vid. Ability, 10. Avowry, 1. Barracks, 1, 2. Cessavit, 1, 2. Coaches,  
1, 9, 12, 22. Distress, per tot. Glebes, 4, 11, 19, 20. Issues lost,  
1. Leases, 3, 9. Pound-breach, 1. Recoveries, 2. Religious Houses, 8.  
Uses, 6.

**Rent-charge.** Vid. Rent, 16.

**Rent-seck.** Ibid.

**Repairs.** Vid. Appropriations, 4. Bridges, 1. Church-yard, 1.  
High-ways, 11, 20, 21. Parish-churches, 39, 45, 64. Partition,  
11, 12. Pious Usus, 1. Spiritual Persons, 9. Wears, 8.

**Repeal.** Vid. Ale-house, 7. Coaches, 17. Parliament, 21, 22, 23.  
Rome, 12, 18. Wooll, 40.

### **Replevin.**

13 E. 1. c. 2.  
Eng. W. 2.

**W**HEN a *Returno Habendo* is awarded, the Beasts shall not be 1  
replevied again but by a Writ of (second Deliverance.)

7 Gul. 3. Sess.  
1. c. 22.

Where the Plaintiff in Replevin shall be Non-suit before Issue 2  
joined, the Avowant, &c. shall have a Writ of Enquiry to the  
Sheriff, to enquire of the Sum in Arrear, and the Value of  
the Distress, and shall have Execution thereupon, with full  
Costs.

The like Writ shall issue, where the Plaintiff is Non-suit after 3  
Issue joined, or Verdict against him, and on Judgment in Demur-  
rer; and the same Jury who tries the Issue, to enquire of the Ar-  
rears, &c. with like Costs.

- 4 All Seneschals, Stewards, and Officers of inferior Courts granting Replevin, may take Bonds for the Goods, &c. in his own Name, and shall assign the same to the Avowant, &c. who may bring an Action in his own Name.

Vid. *Avowry*, 1. *Butter*, 25. *Customs*, 61. *Distress*, 7, 18. *Hides*, 6. *Lights*, 6. *Pleaders*, 3. *Sheriff*, 57.

**Representatives.** Vid. *Administrator*, 5, 6.

**Reprisals.** Vid. *Settlement*, 2. *Ships*, 16.

**Reprive.** Vid. *Judgment*, 3.

**Rescue.** Vid. *Arrest*, 5. *Customs*, 135, 160. *Distress*, 21. *Linen-Manufacture*, 51. *Pound-breach*, 1. *Rent*, 18, 25. *Return of Sheriffs*, 4. *Swine*, 2. *Vagabonds*, 10.

**Residence.**

- 1 **C** LERKS in his Majesty's Service shall be corrected by the Ordinary as others be, and if employed about the *Exchequer*, not bound to Residence on their Benefices.

9 E. 2. c. 8. Eng. Art. Cler.

- 2 All Beneficers except Students to keep personal Residence continually within the Land, or the Profits to be divided; a Moiety to the Church, the other to maintain the Wars; the King's Grants to the contrary, void.

36 H. 6. c. 1.

Vid. *Justice of Peate*, 6. *Leases*, 7. *Parliament*, 3, 16. *Sheriff*, 10. *Spiritual Persons*, 31.

**Restitution.**

- 1 **I** F the Party can't have his stolen Goods, &c. again, he, by this Act, is to have Restitution out of the Goods of the Felon by the Sheriff, &c. and on Refusal of the Sheriff, &c. the Party to recover in Value against him, &c.

3, 4 p. c. m. c. 6. Vid. *Robbery*.

Vid. *Aliens*, 6. *Bishop*, 8. *Forcible Entry*, 6, 7, 8. *Travellers*, 2.

**Restoration.**

- 1 **T** HE Earl of Kildare and his Brother and Sisters are, by this Act, restored to their Blood. (Vid. *Attainder*, 1.)

11 El. Sess. 3. c. 12.

- 2 *Laurence Delabide* is, by this Act, restored to his Blood, &c.

27 El. Sess. 2. c. 2.

- 3 *Jane Eustace*, Daughter of *Christian Eustace*, and Wife of *Nicholas Taffe*, is, by this Act, restored to her Blood, &c. (Vid. *Attainder*, 2.)

28 El. c. 9.

Vid. *Protestant Subjects*, 2.

**Retail and Retailers.** Vid. *Aliens*, 7. *Customs*, 28, 32, 34, 43, 158, 165. *Merchants*, 9. *Wine*, 4, 14.

M m 2

**Retainers**



**Retainers and Liveries.**

10 H. 7. c. 6.

**N**O Citizen or Free-man, &c. shall be retained, or receive Livery from any Lord, &c. on Pain to lose his Freedom, and be expelled; and no Lord, &c. to retain or give Liveries, &c. except to his Servants, Bailiffs, &c. on Pain of 20*l.* to the King.

**Return of Sheriffs and Bailiffs.**

13 E. 1. c. 39.

Eng. W. 2.

† *Post*, 5.

**T**HE Sheriff, on † Delivery of a Writ, to give the Party a Bill of the Names of Demandant and Tenant, and Day of Delivery, in the Writ; and the Party may require the Sheriff, &c. to put the Seal thereto; and on his Refusal, other Persons present may put their Seals thereto.

Plaintiff may demand to have Oyer of the Sheriff's Return of Issues; and the Sheriff shall be charged with any deficient Issues which Plaintiff shall aver he might have returned.

Rents, Corn in Grange, and all Moveables, except Household-stuff, Horse and Harnels, are Issues.

The Sheriff shall beware to return a Rescue, it being to the Dishonour of the King; he may take the *Posse*, and may imprison his Bailiffs, being false, and the Resisters.

2 E. 3. c. 5. Eng.

By this Act, the Sheriff is required to make a Bill to the Party delivering a Writ, and on Refusal to be punished; Justices of Assize may enquire thereof, and award Damages for Delays.

Vid. *Fine*, 13. *Jeofails*, 3. *Prisoners*, 8. *Proclamation*, 6. *Sheriff*, 15. *Small Debts*, 6.

**Return of Fire-hearths.** Vid. *Hearth-money*, 2, 3, 6, 7.

**Return of Members of Parliament.** Vid. *Fees*, 11. *Parliament*, 2, 7, 44, 47, 48.

**False Return of them.** Vid. *Corporation*, 4. *Parliament*, 7, 46.

**Return of Writs.** Vid. *Amerciament*, 10. *Civil Bills*, 4. *Days in Bank*, 5, 6, 7, 8, 9. *Error*, 9. *Jeofails*, 3.

**Returning from Transportation.** Vid. *Felony*, 13, 34, 51. *Papists*, 10.

**Retorno-habendo.** Vid. *Replevin*, 1.

**Revenue.** Vid. *Jeofails*, 11.

**Revenue-officers.** Vid. *Officers of*.

**Reversal.** Vid. *Attainder*, 10. *Civil Bills*, 10. *Customs*, 137. *Error*, 11. *Felony*, 6. *Fine*, 13, 18. *Limitation*, 8. *Perjury*, 1. *Proclamations*, 7, 8.

**Reversions.** Vid. *Fine*, 10. *Leases*, 3. *Papists*, 21. *Receipt*, 1. *Tail*, 1. *Waste*, 7.

**Revocation.** Vid. *Fraudulent Conveyance*, 6. *Wills*, 9.

**Rewards.** Vid. *Cattle*, 5. *Corn*, 10. *Customs*, 138. *Extortion*, 1. *Felony*, 19, 21, 22, 38, 39, 40. *Papists*, 52. *Parliament*, 38. *Schools*, 10. *Tories*, 6.

**Rice.** Vid. *Ireland*, 7.

**Right.**

- 1 THE Writ of *Præcipe in capite* shall be granted to none, where a Freeman may lose his Court. 9 H. 3. c. 24.  
Eng. M. Ch.

Vid. *Accusation*, 1.

**Rimes.** Vid. *Cosherers*.

**Ringrose, John.** Vid. *Rivers*, 1.

**Ring's End.** Vid. *Ballast*, 10. *Coaches*, 22, 23. *Parish-churches*, 8.

**Riots, Routs, Unlawful Assemblies.**

- 1 THE Sheriffs, and other the King's Officers, shall suppress Riots, and imprison them; and all others offending against the Peace. 17 R. 2. c. 8.  
Eng.
- 2 Two Justices of Peace, with the Sheriff or Under-sheriff, by the Power of the County, shall suppress Riots, &c. arrest the Offenders, and record their Proceedings, whereby the Offenders shall stand convict; but if the Rioters be dispersed, Inquiry is to be made in a Month, and Certificate to be made to the Council. (See the further Proceedings by the Council, in the Stat. at large.) 13 H. 4. c. 7.  
Eng.
- 3 Justices of Peace neglecting their Duty, to forfeit 100 l.
- 4 On Default of Justices of the Peace in enquiring, a Commission shall issue out of Chancery, at the Instance of the Party aggrieved, to sufficient Men in the County, who shall return the Enquest into Chancery. 2 H. 5. st. 1. c. 8.  
Eng.
- 5 A Riot shall be repressed and inquired at the King's Charge, and the Sheriff shall be allowed it on his Accounts: Heinous Rioters to suffer one Year's Imprisonment: All Persons to assist the Justices, Commissioners, &c.
- 6 Upon a Bill of Complaint of any Riot preferred to the Lord Chancellor, testified under the Seal of 2 Justices of Peace and the Sheriff of the County, the Lord Chancellor to send out a *† Capias* to take the Parties, &c. 2 H. 5. st. 1. c. 9.  
Eng.  
† Post, 8.
- 7 And on a *Non est inventus* returned, a Writ of Proclamation proclaimed 2 Court-days shall go returnable in B. R. before the Return of which, if they render not themselves, they shall stand convict.
- 8 Two Justices of Peace shall testify the Fame of the County of the Riot, before a *Capias* issues. 8 H. 6. c. 14.  
Eng. Ante, 6.
- See the 19 H. 7. c. 13. Eng. where the Sheriff is to summon a Jury, &c. (But that is not in Force in Ireland.)
- Vid. *Corporation*, 2. *Execution of Statutes*, 1. *Issues-lost*, 3. *Papists*, 38. *Supersedeas*, 2.
- Rites.** Vid. *Uniformity*.



2 Geo. I. c. 12.

Post, 37. their

Power super-

seded.

† Post, 36. al-

tered.

**G**EORGE Frizel, Henry Grosdall, Samuel Eyre, and John Ring-  
rose and their Heirs, &c. may at their own Charges make  
the River Shannon Navigable from Limerick to Carrick-drumrusk.

The Justice of Peace and Members of Parliament in the adjoin-  
ing Counties, and their Successors shall be † Commissioners to de-  
termine Differences between said Undertakers, &c. and the Pro-  
prietors of Lands, &c. to be cut, &c. and the Satisfaction for the  
same.

Post, 38.

The Sheriffs by Warrant from the Commissioners, or 7 of them, 3  
shall return a Jury and a Tales, to assess Damages for such Lands,  
&c. (to which Challenges may be had, and Issues retained) and on  
Payment of what shall be awarded, the Undertakers may proceed  
to dig &c. such Lands; said Decrees to be recorded in Sessions,  
and to bind all Parties, no Commissioner to act in his own Case.

Post, 39.

Commissioners on the Death, or refusing to Act, may appoint 4  
another having, 50 l. per Annum.

† Post, 68.

Said Undertakers to have 2 d. for a hundred Weight for every 5  
10 Miles † Toll, and 3 d. for Passengers, 12 Furlongs to be counted  
a Mile; they may distrain for the same, and sell the Distress, un-  
less redeemed in 16 Days.

† Post, 68.

The Commissioners and Undertakers, may make and alter † By-  
laws (with Penalties for Breach thereof) for managing the Navi-  
gation.

The Undertakers may administer on Oath to any Master, &c. 7  
of a Vessel, about the Weight of Goods.

Barge, or Boat-master, answerable for Damages done to Weirs, 8  
Lands, &c. by his Men; this Navigation not subject to Commis-  
sioners of Sewers.

The Undertaker shall raise Banks to hinder the Water flowing 9  
on the Grounds, and make Bridges, &c. where they cut Lands,  
&c.

Pleasure Boats may be used without paying Duty, there shall 10  
be a free Passage for all Persons paying the Rates, the general Issue  
may be pleaded on executing this Act.

Contingent Damage not hereby provided for, to be awarded by 11  
Juries.

A Saving to Proprietors of Royalties, Fishing and Fowling, and 12  
the Salmon Wear of Limerick called Parteen, not to be prejudiced  
without Consent of the Owners.

Post, 36, 37.

Others appoint-

ed, and this

Power taken a-

way.

The Commissioners by this Act appointed (which Vid. Post, 30.) 13  
and their Successors, were to appoint Undertakers to carry on at  
their Charges the Navigation of the respective Rivers within their  
Limits, and herein after mentioned, and were to grant them the  
Toll,

Toll, and were to enjoy the same to their own Use; with like Remedy, Limitation, and Privileges, &c. as *Ante* in the River Shannon.

14 Part of the *Liffey* and *Boyn*, the River *Rye*, *Mungagh*, and *Brosney*, to fall into the *Shannon* at *Banaghar*.

15 The *Barrow* and the Canal North-west of *Ros*, to fall in the Grand Canal from *Dublin* to *Limerick* at *Monroe*, in the Bog of *Allen*.

16 The *Glynn*, upper and lower *Bann* from *Newry* to *Coleraine*.

17 The *Nore* and the lower *Brosney*, into the Grand Canal at *Eyre-Court*.

18 The Rivers *Liffey* and *Greece*, and the Canal between them, from *Kilcullen* into the *Barrow* near *Carlow*.

19 The *Black-Water* from *Youghall* to *New Market* in County *Cork*.

20 The River *Foyle*, part of *Finderge* and *Moorn*, from *Londonderry* to *Omagh*.

21 The *Earn* from *Ballyshany* to *Kilshandra*, E. S. E.

22 The *Martin Cloydagh*, part of *Black-Water*, *Ounebogg* and *Mague*, from *Cork* to *Limerick*.

23 The *Boyn* from *Drogheda*, into the Grand Canal near *Edenderry*.

24 The *Unshion* and *Arrow*, and part of *Boyle*, from the Bay of *Sligoe* into the *Shannon* at *Carrick-drum-rusk*.

25 The *Corb*, *Mask*, and *Moy*, from *Galway* to *Killalla*.

26 The *Slaney*, from *Wexford* to *Bohinglafs*, and the *Shure* from *Waterford* to *Thurless* and *Roscrea*.

27 The *Colgan*, from *Galway Bay* into the *Shannon* at *Portumney*.

28 The *Jenny* from *Loughshillen* to the *Shannon*, the *Suck* from *Castle-rea* into the *Shannon* at *Clonsfert*, and the *Lee* from *Cork* to *Macroom*.

29 The *Bandon*, from *Kinsale* to *Dunmanaway*, the *Leun* from *Castle-main Harbour* to *Ros Castle*.

30 The several Members of Parliament, Justices of Peace, and their Ant-, 13. Successors in the several Counties through which the said several Rivers are to be carried or made Navigable, are by this Act declared † Commissioners of the same in their respective Counties and Limits. † Post, 36. alter'd.

31 Undertakers failing to perform in 7 Years, his Interest and Duties shall cease, and the Commissioners may appoint another, or enlarge the said Term.

32 The Salmon Wear of *Bann-water*, or *Colerain*, and *Lismore*, not to be prejudiced without consent of the Owners, to be first recorded with the Clerk of the Peace.

33 Manure for Land to be carried Duty free; and Timber, Stones, Brick, Slates, Lime, &c. for Building, to pay half Duty.

The



3 Geo. 1. c. 6.

† Post. 36.

The Commissioners by the foregoing Act appointed, shall be 34  
 † Commissioners for draining of Bogs adjacent to said Rivers, and  
 five to be a *Quorum*.

The Instrument of Nomination signed by five or more Commis- 35  
 sioners registered, shall be a sufficient Authority to the Undertaker.

3 Geo. 2. c. 3.

By this Act there are several Persons (expressly named) appoint- 36  
 ed (twenty for each Province) Commissioners for executing the  
 above Statutes in the room of those mentioned, (*Ante in 1, 2, 13,*  
*and 34.*) the Names of which several Commissioners by this Act,  
 see in the Order of the Alphabet in this Book, referring to this Ti-  
 tle and Number, with the initial Letter of the Province for which  
 they respectively stand annex'd to their Names.

The first Meeting of the Commissioners, was fixed for the first 37  
*Monday in May*, after the Act passed, and eleven to be of the *Quo-*  
*rum*, and they and no other, to have the Power, &c. as the Un-  
 dertakers of the River *Shannon* had (*which see, Ante, 1, &c.*)

Ante, 3.

The Commissioners to meet at the Place in the Warrant appoin- 38  
 ted, to summon a Jury, and there to determine the Matter for  
 which they were summoned, and no other.

Ante, 4.

Commissioners of the Province, on the Death of one to elect a- 39  
 nother by Ballotting; and on their Default, the other Commis-  
 sioners may elect for that Province.

Post, 67.

To carry on the said Work, the several Duties following to 40  
 be paid for 21 Years, from the 25th *March*, 1730. payable the  
 10th *January*, yearly.

Duty on  
Coaches.

† Post, 45.

For every † Coach, &c. (not hired) with four Wheels, 20 s. 41  
 yearly; for every Chaise, &c. with two Wheels, 5 s. to be levied  
 as Hearth money, with like Remedy.

The Persons who shall keep such Coaches, &c. to certify to the 42  
 Collector an Account of such Coaches, &c. Parish and Place of  
 Abode, which Certificate shall be registered.

The Collectors, before the 10th *January* yearly, to return to the 43  
 Collecting-Officer, a List of all said Coaches, &c. Persons Names,  
 &c. who shall give Acquittances for said Duty, without Fee, and  
 Books and Duplicates to be kept as in the Case of Hearth money.

Persons concealing their Coaches, &c. chargeable by this Act, 44  
 to forfeit 5 l. on Oath of one Witness, before two Justices of Peace.

None to be charged with more than 20 s. in one Year for the said 45  
 Duty.

Every Person, not being a Coach-maker, shall pay for the Coach 46  
 of another Person in his Possession, and the Collector of said Du-  
 ties, forthwith to pay the same to the Collector of the District,  
 and shall be chargeable on his Account, as in the Case of Hearth-  
 money, and shall be first sworn thereto.

For

- 47 For Cards made in *Ireland* 6 d. per Pack, and Cards imported *On Cards and*  
12 d. and for Dice, 5 s. per Pair, the Import Duty to be paid into *Dice.*  
the *Exchequer*, as the Excise or new Impost is.
- 48 None to make Cards or Dice, but in *Dublin* and *Cork*, on pain  
of 50 l. Persons making them, first to give Notice to the Collector  
there, on the like Penalty.
- 49 Officers to be permitted, in the Day-time, to enter Houses, to  
take an Account of Cards and Dice, on pain of 50 l.
- 50 No Cards or Dice to be removed before they are marked, on pain  
of forfeiting the same, and treble Value.
- 51 The Makers to make a due Entry upon Oath, to the Collectors,  
&c. every 14 Days, of all the Cards and Dice made, and to pay  
the Duty every 28 Days, on pain of 20 l.
- 52 Forfeitures on this Act relating to Cards and Dice, go to the  
King and Informer; Commissioners of the Revenue to appoint the  
Stamp, and the Officers to stamp them, &c. their Salary in *Dublin*  
is † 20 l. and in *Cork* 10 l. per Annum.
- 53 The Collectors, &c. to give a Certificate of the Number of  
Cards and Dice entered, which is to be delivered to, and entered  
by the Stamp-Officer, in a Book, and therewith to enter the Num-  
ber by him stamped, to be returned to the Commissioners of the  
Revenue. † Post, 73.
- 54 Stamp-Officers refusing, &c. to mark, &c. to forfeit 5 l. to the  
King and Party injured, and to attend † *Tuesdays* and *Thursdays*. † Post, 73.  
(Quer. *If Holy-days*.) *Saturday ad-*  
*ded.*
- 55 Cards already made at the time of the Act, to pay 4 d. per Pack,  
and Dice, 3 s.
- 56 Persons selling or playing with Cards or Dice not stamp'd, to  
forfeit 10 s. to the King and Informer.
- 57 To counterfeit the Stamp on Cards or Dice, is made Felony, *Post*, 66.  
without Clergy.
- 58 Any Officer of the Customs, shall be permitted to enter any Place  
or Gaming-house in the Day-time, on pain of 10 l. and shall there  
take an Account of Cards and Dice.
- 59 Cards and Dice may be exported without stamping, giving Bond  
and Oath not to re-land them.
- 60 This Duty and Forfeitures, &c. to be collected (by the *Stat.*  
14 Car. 2. c. 8.) Vid. *Customs*, 14, &c.
- 61 Two Justices of Peace have Power to determine in a summary  
Way, any pecuniary Penalty, &c. not exceeding 10 l. on this Act,  
with liberty of Appeal to the Sessions.
- 62 Six-pence per Ounce (*Troy*) to be paid for all wrought Gold or *Duty on Plate.*  
Silver-plate, imported or wrought in *Ireland*; the Duty on impor-  
ted Plate, to be paid in as *Ante* 47.



No Silver-smith shall sell, &c. any Plate above 4*d.* Weight, 63 made in *Ireland*, before 'tis touched, on pain of forfeiting the Value, which not exceeding 10*l.* goes to the Informer by Civil Bill, and above, to the King and Informer, by Action of Debt, in a Court of Record.

Gold Plate of 22 Carrats, fine Gold and Silver 11 Ounces, 2*d.* wt. 64 per Pound, to be touched, and then the Duty to be paid to the Assay-Master, and then to stamp it without Fee, &c. and to keep an Account of all the Plate he shall so touch.

The Assay-Master to pay the Duty into the *Exchequer* monthly, 65 to the Vice-Treasurer, &c. and to be sworn into his Office by the Commissioners of the Revenue, and to give 1000*l.* Security, and to have 20*l.* per *Annum* Salary.

Counterfeiting of this Stamp is made Felony, without Clergy, 66 *Ante*, 57.

The Vice-Treasurer to pay all the said Duties, and the King's 67 Moiety of the Forfeitures by this Act imposed, to the Commissioners in the Act named, &c. or to eleven of them on their Warrant, to be applied to the Uses, *Ante*, 40. and encouraging of Tillage, draining of Bogs, &c.

*Vid. Wears,*  
5, 6.

The Commissioners in the Act named, may appoint a Toll 68 upon all Boats, &c. passing on the Rivers, as *Ante* 5. and such Toll to be applied to the Works.

† *Ante*, 6.

Commissioners may contract with Workmen, &c. to do the 69 Work, and may make † By-laws (to be first signed by the Lord Chancellor and three Chief Justices) with Penalty for Breach of them, for the better Execution of this Trust, and issue Warrants to levy the Penalties.

The General Issue may be pleaded, and full Costs given on executing this Act. 70

Said Commissioners may appoint their Officers and Salaries, not 71 exceeding 70*l.* per *Annum*.

The Commissioners to keep a Book with the Accounts of Money 72 received and expended, and to whom, and to what Use.

7 *Geo. 2. c. 12.*

By this Act every *Saturday* is added to the Days in 54 *Ante*, for 73 stamping, and the Commissioners may add to the Salary of the Stamp-Master in *Dublin*, not exceeding 20*l.* more per *Annum*. *Vid. Ante* 52. (N. B. The former Act misrecited herein.)

*Vid. Fish*, 4, 16, 18. *Infection*, 1.

**Roads.** *Vid. High-ways*, per tot.

**Roads-breadth.** *Vid. High-ways*, 20, 29, 37.

### Robbery and Robbers.

28 *H. 8. c. 10.*

THE Party robbed, on Conviction of the Felon on Indictment, &c. shall by Writ of Restitution from the Justice of Goal-delivery, be restored to his Goods, &c. (*Vid. Restitution*, 1.)

*Vid.*

## Robbery and Robbers.

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- Vid. *Clergy*, 6, 11. *Felony*, 26, 38. *Hue and Cry*, 1. *Kearns*, 1.  
*Lord's-day*, 6. *Prisage and Livery*, 1. *Tories*, 1.  
**Robrene.** Vid. *Parish-Churches*, 5.  
**Robes.** Vid. *Parliament*, 11.  
**Roche, George.** Vid. *Lights*, 1, &c.  
**Rochfort, George.** Vid. *Poor-House*, 1.  
**Rochfort, John.** Vid. *Poor-house*, 1. *Rivers*, 36. L.  
**Rockets.** Vid. *Fire-Works*.

## Rock-salt.

- 1 **R**ock-salt exported to *Ireland*, shall pay above the present Duty 9 *An. c. 23.*  
 3 s. per Tun, to be paid by the Exporter upon Entry at the *Seal. 44. & 45.*  
 Port where shipped, and no Draw-back allowed, without he deli- *Eng.*  
 ver up the Certificate to the proper Officer, or upon Proof of be-  
 ing lost at Sea, or taken by Enemy, the Duty to be repaid.  
 Vid. *Customs*, 110.

**Rogerson, Lord Chief Justice.** Vid. *Rivers*, 36. M.

**Rogues.** Vid. *House of Correction*, 3, 6, 7. *Vagabonds*, 19.

**Rolls.** Vid. *Bread*, 27. *Exchequer*, 2. *Papists*, 22.

## Rome.

- 1 **N**ONE to pay any Pensions, Censes, Portions, or *Peter-pence*, 28 H. 8. c. 19.  
 &c. to the See of *Rome*.  
 2 Neither the King nor any Subject shall sue for any License, †† *Post*, 3, 14.  
 Dispensations, or Faculties, &c. to the Bishop of *Rome*, but the  
 same to be granted by the Archbishop of *Canterbury*, as were for-  
 merly granted from *Rome*, but in unusual Cases must first have the  
 King's Licence.  
 3 Dispensations where the Tax to *Rome* on them amounted to 4 l.  
 must be confirmed under the great Seal, and inrolled by the Clerk,  
 so may others if the Procurers require it, paying five Shillings  
 Fee.  
 4 Children of Marriages, had by such Licenses, declared Legiti-  
 mate.  
 5 Clerks to be appointed by the Archbishop, to register all Facul-  
 ties, and by the King to inroll them in *Chancery*.  
 6 Two Books to be kept, containing the accustomed Taxes of  
 all Dispensations and Faculties, &c. wont to be sped at *Rome*, and *Vid. Post*, 14.  
 every Leaf to be subscribed by the Archbishop of *Canterbury*, the *This was an*  
 Lord Chancellor, Lord Treasurer, and 2 Chief Justices of *Eng. Stat. re-*  
*land*, to which all Suitors shall have Recourse. *enacted here.*  
 7 None to pay more (except for Compositions) than is set down  
 in said Book, for Faculties &c. on pain of ten times the Value on  
 the Receiver.



See here the Directions to whom the several Fees on Faculties 8  
shall be paid.

This Act not to extend to inhibit the Archbishop of York, or to 9  
dispense as usual.

During the Vacancy of the See of Canterbury, the Guardian of 10  
the Spiritualities to grant Faculties, and on either of their Refu-  
sal, the Lord Chancellor of England to enjoyn them by Writ to  
grant them, or the King may by Injunction, and the King may  
by Commission appoint 2 Prelates to grant them.

All religious Houses exempt from the Bishop of Canterbury's Vi- 11  
sitation, shall remain so, and the King to appoint Commissioners  
to visit. None to go to any foreign Visitation, Congregation, or  
Assemblies.

This Act not to repeal the Statute of 21 H. 8. c. 13. Eng. 12  
touching Pluralities or Residence.

Persons suing for Faculties to Rome, or obeying Process from 13  
thence, they and their Aiders, &c. incur a Premunire.

Enacted that this Act be in Force in Ireland as well as in England, 14  
being the King's proper Dominion.

Not to prejudice the Power of Dispensation in the Bishops, 15  
&c. of Ireland, as usually.

Commissioners appointed to grant Faculties, to have the same Pow- 16  
er in Ireland as the Archbishop of Canterbury.

Ante, 10.

The Lord Chancellor of Ireland, and other Persons executing 17  
this Act, to have like Power as the Lord Chancellor of England and  
the others.

This Act was repealed by 3 and 4. P. and M. but is revived by 18  
2 El. next following, and said Act of P. & M. repealed.

2 El. c. 1.

No foreign Prince, Prelate, &c. shall use any Ecclesiastical or 19  
spiritual Jurisdiction in this Kingdom. There was an Oath ap-  
pointed to be taken by this Act, but is since abrogated. (Vid.  
Oaths, 4.)

None to maintain or defend the Ecclesiastical Power or Juris- 20  
diction of any foreign Prince, Prelate, &c. on Pain of forfeiting  
all Goods and Chattles, and Ecclesiastical Benefices; the second  
Time to incur a Premunire, the third High-Treason, to be prose-  
cuted in 6 Months.

A Peer to be tried by Peers of English Blood, for a Premunire 21  
on this Act.

Nothing to be Heresy or Schism, but what is so adjudged by 22  
Canonical Scriptures, or by the first four general Councils, or by  
Parliament.

None to be tried on this Act without two Witnesses, Face to 23  
Face, nor none to be questioned for relieving an Offender, unless  
he had Notice of the Offence.

Vid. Appeal, 10. Premunire, 2. Provisors, 1, 5, 6.

Ropes.

**Ropes.** Vid. *Linen Manufacture*, 26, *Piracy*, 3.  
**Rose, Henry.** Vid. *Poor-house*, 1. *Rivers*, 36. *M.*  
**Ross.** Vid. *Customs*, 16. *Ships*, 22.  
**Ross.** Vid. *Corn*, 16. *Wooll*, 22.  
**Rout.** Vid. *Riot*. *Soldiers*, 6.  
**Rowley, Hercules.** Vid. *Poor-house*, 1.  
**Royalties.** Vid. *Gold*, 8.  
**Russia.** Vid. *Ships*, 12.  
**Rye.** Vid. *Corn*, 10, 11. *Rivers*, 14. *Wears*, 3.  
**Rules of Court.** Vid. *Arbitration*, 1, 2.  
**Rum.** Vid. *Ireland*, 7. 8.  
**Humours.** Vid. *News*.  
**Running Goods.** Vid. *Customs*, 19, 20, 49, 79, 80, 83, 84, 111, 125, 128, 154, 160.

**Sacrament.** Vid. *Oaths*, 13. *Papists*, 46. *Uniformity*, 12, 27.  
**Sacrilege.** Vid. *Clergy*, 6.  
**Saddle-horses.** Vid. *Soldiers*, 7.

### Safe Conduct.

- 1 **T**HE Name of the Ship, Master, number of Men, and Burthen to be expressed in all safe Conducts. 15 H. 6. c. 3. Eng.
- 2 Enemies Ships not having safe Conducts to be made Prizes. 18 H. 6. c. 8. Eng.
- 3 Letters of safe Conduct not inrolled in Chancery, declared void. 20 H. 6. c. 1. Eng.

**Sail-Cloth.** Vid. *Linen Manufacture*, 4, 21, 74, 75, *Ships*, 27.  
**Sailors.** Vid. *Mariners*. *Customs*, 30. *Greenwich Hospital*, 1, 2. *Navigation*, 1. *Ec. Plantation*, 2. *Ships*, 5. *Swearing*, 1. *Wills*, 15. *Wooll*, 32.

### Saint Andrews.

- 1 **L**azar's-hill is by this Act made part of St. Andrew's Parish in Dublin, and made a Vicarage Presentative by the Lord Chancellor, &c. or any 4 of them, whereof the Bishop of Dublin to be always one. 17 & 18 Car. 2. Sess. 5. cap. 7.
- 2 The Church-Wardens are a Body corporate, and may purchase 100 l. per Annum.
- 3 The Rectory of said Church belongs to the Precentor of St. Patrick's and his Successors, and have 10 l. per Annum paid by the Vicar thereout, appropriate to him.

**St. George, Lord.** Vid. *Rivers*, 36. *C.*

**St. John of Jerusalem.** Vid. *Religious Houses*, 6. *Templars*, 1. *Vicarages*, 1.

**St. Mary's.** Vid. *St. Micans*, 1.

**Saint**



**Saint-Mican's.**

9 Gul. 3. Sess. 1.  
cap. 41.

**T**HE Parish of St. *Mican's* to be divided into 3 Parishes, and 1 called St. *Mican's* new Parish, St. *Mary's*, and St. *Paul's*, and to be several and Independent.

See the Bounds of the Parishes laid out by the Act, and the 2 Ground for building St. *Paul's* and St. *Mary's* Churches, the Rectory of St. *Mican's* to be called the Prebend thereof, belonging to *Christ-Church*.

The chief Governor to appoint Persons to applot and raise the 3 Money for building according to Pound-Rate on Landlord and Tenant, &c.

The Patronage of said 3 Churches, belongs to the Dean and 4 Chapter of *Christ-Church*, Dublin.

The First-fruits and 20th Parts to be equally paid by said Parishes. 5

**Saint-Patrick's**

3 H. 7. 6. 1.

**T**HE Inhabitants of *Patrick's-street*, are by this Act to keep the 1 River *Poddle* clear, and none to stop the Passage on pain of 20 s. to be levied by the Proctor of St. *Patrick's-Church*.

17 & 18 Car.  
2. Sess. 5. cap.  
21.

The Mayor, Recorder, and Bishop of *Dublin* and others, are 2 appointed Commissioners for preserving *Patrick's-Church* from Ruin by the Water of the *Poddle*, and the Inundations thereof, and to examine upon Oath relating thereto, and to convict Offenders, and order Nuisances to be removed on pain of 5 l. and on a second Offence, 10 l. &c.

Said Commissioners or 5 of them may order the making, alter- 3 ing, &c. of Vaults, Cellars, Pavements, Gutters, &c. and the removing Nuisances by Shades, Stalls, Walls, &c.

Constables by Warrant of 5 Commissioners, to levy the Fines 4 to be paid to the Use of the Church for removing Nuisances, Constable refusing to execute such Warrant, to be fined and imprisoned by the Commissioners.

The Commissioners may tax the Dean and Dignitaries, &c. of 5 the Church, and the Inhabitants for preserving the Church from the Innundations, but not to exceed 5 l. on one Person in the Year, and to be equally assessed and collected by Distress.

The general Issue may be pleaded on executing this Act, and treble 6 Costs given, the Commissioners to appoint a Treasurer with Allowance.

Vid. *Religious-houses*, 5.

**Saint-Patrick's Dean.** Vid. *Poor-house*, 1.

**Saint-Patrick's Purgatory.** Vid. *Papists*, 38.

**Saint-Paul's.** Vid. *St. Mican's*, 1.

**Saint-Sepulchre's.** Vid. *Dublin*, 20. *Lights*, 1. &c. *Watches*, 28.

**Saint-Warborough's.**

2 Geo. 1. c. 24.

**T**HIS Act appoints certain Commissioners for building this Church 1 in *Dublin*, and being now finished there needs no more here.

**Salary.**

**Salary.** Vid. *Customs*, 46, 99. *Dublin*, 20, 48. *Grand-juries*, 13. *Linen-manufacture*, 15, 24, 55. *Poor-house*, 4. *Rivers*, 71. *Schools*, 17. *Sheriff*, 46.

**Sale.** Vid. *Contracts*, 1. *Customs*, 26, 67, 127. *Earnest*, 1, 3. *Fairs*, 7. *Linen-manufacture*, 35.

**Sales men.** Vid. *Market*, 3, 4.

**Salmon.** Vid. *Fish*, 1, 5, 11, 13, 15, 19, 20.

### Salt.

1 **S**alt or Rock-salt exported and landed in *Ireland*, Exporter entitled to a Draw-back (on Entry thereof) from the Port where landed, and Allowances for Waste to be made for White-salt. (Vid. *Rock-salt*.) 5 *An. c. 29.*  
Sect. 12. *Eng.*

2 By this Act the Duty was taken off of *English Salt* and *Scotch Salt* (but the Duty on Foreign Salt remained). 3 *Geo. 2. c. 20.*  
*Eng.*

3 But was laid on again by this Statute. 5 *Geo. 2. c. 5.*  
Vid. *Butter*, 6. *Customs*, 17. *Measures*, 17, 18. *Rock-salt*, 1. *Ships*, 12.

**Salvage.** Vid. *Customs*, 113.

**Sane Memoir.** Vid. *Feme-covert*.

**Sanford, Henry.** Vid. *Poor-house*, 1. *Rivers*, 36. C.

**Santry, Lord.** Vid. *Poor-house*, 1.

**Saplin.** Vid. *Wood*, 12.

**Satisfaction.** Vid. *Accounts*, 2. *Attorneys*, 12. *Register*, 16, 20. *Wooll*, 42. *Wreck*, 7.

**Says.** Vid. *Drapery*, 17. *Wooll*, 15.

**Seizure.** Vid. *Ireland*, 9.

**Seal-crows.** Vid. *Game*, 19.

**Scales.** Vid. *Corn*, 15, 16.

### Scandalum magnatum.

1 **T**HIS Action is brought by a Peer or Nobleman for Slander, who prosecutes as well for the King as himself. (Vid. *News*, 2.) 2 *R. 2. c. 5.*  
*Eng.*

2 A Defendant may justify in *Scandal' mag'*, setting forth the special Matter.

3 Persons devising false News of Prelates, Dukes, &c. Judges, &c. to be imprisoned. 12 *R. 2. c. 11.*  
*Eng.*

4 Slander of K. H. 8th's Marriage with *An. Bullen*, declared Treason. (Vid. *Crown*, 3.)

**Scavengers.** Vid. *Dublin*, 7, 8, 20, 47, 48.

### Schism.

1 **T**HIS Act was made to prevent the Growth of Schism, and for the further Security of the Churches of *England* and *Ireland*, by Law established. (Vid. *Heretico comburendo*, 1. *Rome*, 22.) 12 *An. Sess. 2.*  
c. 7. *Eng.*

**Scholars.** Vid. *Begging Scholars*.

**Schools**



28 H. 8. c. 24.

Persons not able to keep their Children at School at the Age of 10 Years, to put them to Handicrafts or Husbandry, on Pain of 6s. 8d. to the Lord of the Manor, to be presented in his Court, or to the King; Justices of Peace to enquire thereof.

12 El. c. 1.

Post, 15.

A Free-school shall be erected in every Diocess; the Masters to be *English*, or *English*-birth.

The Governor of the Realm to have the Nomination of all the Masters, except in the Diocess of *Ardmagh*, *Dublin*, *Meath* and *Kildare*; and in them their own Bishops to nominate.

Post, 15.

The School-house to be built in the principal Shire-town, by the Over-sight of the Bishop and Sheriffs.

Post, 16, 17.

The Governor and Council to appoint Pensions for the Masters to be paid, One-third by the Bishop, 2 parts by the rest of the Clergy.

7 Gul. 3. sess. 1.

c. 4.

† Post, 8, 10.

No *† Papist* shall teach in Schools or Private-houses, on Pain of 20 l. and 3 Months Imprisonment. (N. B. *Here is none appointed to commit him, nor to whom the 20 l. shall go.*)

The Stat. 28 H. 8. (Vid. *Eng. Language*, 4.) and the foregoing Stat. 12 El. are hereby appointed to be observed, and to be given all in Charge at the Assizes and Sessions.

8 An. c. 3.

*Popish* School-masters and their Ushers, &c. in Schools or Private-Houses, shall be prosecuted, and liable to the Penalties and Forfeitures as *Popish* Regulars. (Vid. *Papist*, 10, 11, 12, 17, 60, 61, 62.)

Post, 10.

None shall be qualified to be a Master, Tutor or Usher, unless he take the Oaths, &c. on Pain of 10 l. and 10 l. on the Person employing him, to the Informer and Poor, by Civil Bill.

10 l. Reward is given for discovering *Popish* School-masters or Tutors, or Ushers or Assistants to *Protestant* Masters, to be levied as Robbery-money is on the *Popish* Inhabitants.

Two Justices of Peace (*quorum unus*) may, by Warrant, summon any *Papist* above 16, to enquire touching the Being, Abode, &c. of a *Papist* School-master. (See the Time and Penalty refusing to appear or answer, *Tit. Papists*, 53.)

*Popish* School-masters to be transported in 3 Months, by the Justices at Assizes or Sessions, (as in *Papists*, 60.)

2 Geo. 1. c. 17.

Licensed School-masters, &c. have the same Remedy for their Wages as Servants. (Vid. *Servants*, 4.)

8 Geo. 1. c. 12.

† Post, 21.

Bishops, &c. and Deans, and all Dignitaries and other Persons may, by proper Consent inrolled, † grant 2 Acres of Bishops Lands, and one of the others, to Church-wardens of each Parish and their Successors, for the Use of a *Protestant* Master, to teach the *English* Tongue, to be licensed by the Bishop; but not to create a Free-hold.

12 Geo. 1. c. 9.

Bishops, Deans, Dean and Chapter, Dignitaries and Prebends, may, by Deed inrolled, set a-part a Plantation-acre to him belonging, near the Cathedral, or in some other place, for the Use of the Master

Master of the Free-school of the Diocese, which shall be deemed to be the Place of the Free-school, unless a Piece of Ground is already appointed.

16 No Money shall be raised (by 12 El. Ante, 5.) to build a Free-school, till such Piece of Ground is set out, and then the Grand-jury by Presentment, to raise the Money to build and repair the Diocese School, to be paid by the Treasurer, as the Grand-jury shall appoint.

17 The Clergy to account at the yearly Visitation, with the School-Master for his Salary, and on Default of Payment, in 3 Months after, their Benefices to be sequestered. (Quer. If the Bishop should refuse Payment?) Ante, 6.

18 The Bishop of Ardmagh may lease the School-land granted by King Car. 1. for 21 Years, (not in Reversion past one Year) and at improved Rent, &c.

19 By this Act the Bishop of Ardmagh may set apart, for the Residence of the Masters, what Part of said Lands as is convenient, and such Masters, &c. improving, &c. thereon, shall be paid by their Successors, &c. as in the Case of Glebes. (Vid. Spiritual Persons, 17.) 1 Geo. 2. c. 15.

20 The Masters may exchange their Demesne-lands for others of equal Value, and more contiguous to the School, by Consent of the said Archbishop, as by 2 An. c. 10. is directed. (Vid. Glebes, 2.)

21 All Persons seized in Fee-simple, Tail, or for Life, with Remainder, to his own Issue, may grant one Acre, not being Demesne, Value 30 s. per Ann. to the Uses, (ante, 14.) but shall create no Free-hold. 5 Geo. 2. c. 4.

Vid. English Language, 4. Fees, 25. First-fruits, 14. Hemp, 3, 5. Outlawries, 9. Uniformity, 15, 16.

**Scire-facias.** Vid. Administrator, 11. Advowson, 3. Costs, 6, 11. Covenant, 5. Execution, 2, 3. Infants, 1. Intrusion, 1. Limitation, 3. Recognizances, 15. Traverses, 3. Tythes, 1.

**Scites.** Vid. Parish-churches, 36. Religious Houses, 4.

**Scots Linen Cloth.** Vid. Linen-Manufacture, 27, 28, 75.

## Scots.

1 **A**LL Scottish People, declared natural-born Subjects, and to have all Privileges and Advantages as such. 10 Car. 1. Sess. 3. s. 4.

## Scotland.

1 **T**HE Prohibition, as now stands in Force by the Law of Scotland against the Importation of Victuals from Ireland, &c. shall remain so. (N. B. This is the Stat. of the Union.) 5 An. c. 8. Eng Art. 6.

Vid. Merchants, 10.

**Scribeners.** Vid. Usury, 6.



18 E. 3. Stat. 2.  
c. 3. Eng.

**T**HE Sea shall be open to all Merchants, to pass with their Merchandize.

Vid. *Admirals*, 2. *Beyond Sea*. *Navigation*, 1.

### Seal.

28 E. 1. c. 6.  
Eng.

**N**O Writ concerning the common Law shall be awarded under any of the petty Seals.

11 R. 2. c. 10.  
Eng.

The King's Signet or Privy-seal shall not be sent in Prejudice of the Realm, or Disturbance of the Law.

10 H. 7. c. 3.

The King's Great and Privy-seal, and Letters-missive from England shall be obeyed in Ireland.

7 H. 8. c. 1.

Persons bringing Letters under the King's Privy-Seal from England against any in Ireland, shall enter into Recognizance, to pay the Defendant his Costs, if acquitted before the Council in England.

Vid. *Drapery*, 6, 7, 12, 20. *Exceptions*, 1. *Exemplifications*, 1. *Recognizance*, 1, 6. *Vagabonds*, 3, 13, 15.

**Great Seal.** Vid. in G.

**Seamen.** Vid. *Sea*, *Sailors*, *Mariners*.

**Searchers.** Vid. *Officers*, 2. *Pewter*, 5, 6. *Wooll*, 9, 10, 37.

**Searches.** Vid. *Bread*, 7. *Customs*, 54, 90. *Drapery*, 28. *Game*, 14. *Hearth-money*, 9. *Hedge-breakers*, 5. *Recognizance*, 20. *Servants*, 20.

**Seatown.** Vid. *Archbishop of Dublin*, 1.

**Second-deliberance.** Vid. *Avowry*, 1. *Replevin*, 1.

**Secretary of State.** Vid. *Poor-house*, 1.

**Seculars.** Vid. *Papists*, 52.

**Securities.** Vid. *Accusation*, 8. *Administrator*, 2, 4. *Collateral Security*. *Gaming*, 2. *Hearth-money*, 12. *Irishmen*, 2. *Lights*, 8. *Papists*, 57.

**Se defendendo.** Vid. *Clergy*, 10.

**Seed.** Vid. *Flax-seed*. *Hemp and Flax*, 6, 8.

**See of Rome.** Vid. *Rome*.

**Seisers.** Vid. *Informers*.

**Seisin.** Vid. *Limitation*, 1, 2. *Uses*, 4.

**Seisures.** Vid. *Accusation*, 2. *Butter*, 6, 10, 11. *Cattle*, 1, 2. *Customs*, 24, 49, 68, 90, 114, 135, 138, 160. *Fish*, 8, 18. *Game*, 2, 4. *Pewter*, 4, 5. *Sheep*, 6. *Ships*, 31. *Wooll*, 17, 37.

**Seneschals.** Vid. *Accusation*, 9. *Dublin*, 1, 20, 43. *Poor-house*, 1. *Solicitor*, 1. *Watches*, 3.

**Sequestration.** Vid. *Chancery*, 3, 6. *Glebes*, 19, 20. *Schools*, 17.

**Serjeant at Law.** Vid. *Escheators*, 12. *Justice of Assize*, 6.

**Serges.** Vid. *Drapery*, 17.

**Sermons.** Vid. *Uniformity*, 2, 22.

**Servants.**

- 1 **S**ERVANTS taking Charge of the Masters Goods, Jewels, &c. to the Value of 40 s. imbezzling or stealing them, is Felony. 33 H. 8. Sess. 1. c. 5. Post. 16.
- 2 But not to extend to Apprentices, nor to any under 18 Years old.
- 3 Justices of Peace in Sessions yearly, at *Easter* and *Michaelmas*, to ascertain what † Wages Masons, &c. and Labourers and Servants are to have, and to hear and determine Offences on this Act in Sessions, and this Act is revived and made perpetual, by 11 El. Sess. 1. c. 5. 33 H. 8. Sess. 1. c. 9. † Post. 4.
- 4 Demand of Wages of Servants, Labourers, and Artificers, not exceeding 3 l. may be determined by the next Justice of the Peace, or any other within 5 Miles, and may summon the Master, &c. (not being a Peer) and on Refusal to appear, &c. may, by Warrant, cause the Sum to be levied off his Goods, &c. (Vid. *Artificers*, 11.) 2 Geo. 1. c. 17. Post. 11, 14.
- 5 Fees for the Summons, 6 d. Warrant, 6 d. Constable, 1 s.
- 6 On Complaint of Misbehaviour of Servants, the Magistrate to issue a Warrant against the Servant, and, on Proof, may put him in Stocks, or † House of Correction, &c. † Post. 10.
- 7 No Servant to depart their Service without Licence, unless he, &c. gives a Month's Notice, on pain to be sent to the House of Correction for ten Days.
- 8 The Master, &c. shall give a † Discharge at putting away a Servant, or on the Servant's going away. Post. 11, 12.
- 9 No Person to hire a Servant without a Discharge from the Person with whom he last dwelt, and the Servant may have a Discharge from the next Justice of Peace, on the Master's refusing it.
- 10 Servants counterfeiting Discharges, to be sent to the House of Correction for 3 Months, and be whipt in the Streets.
- 11 No Servant shall recover Wages by this Act, without such a Discharge, or Proof thereof.
- 12 Persons knowingly taking Servants without a Discharge, to forfeit 5 l. at the Sessions. (Quer. *If they knowingly keep the Servant, tho' they had no Knowledge at the Time of taking.*)
- 13 No Woman to hire for a Nurse knowing herself to be with Child, nor having any infectious Disease, on pain to forfeit her Wages, &c. and be punished, *as ante*, 10. but not to be whipt till 2 Months after Delivery.
- 14 Complaint must be made on this Act in 3 Months, or else no Remedy.
- 15 Costs, not exceeding 2 s. 6 d. may be given on vexatious Complaints on this Act, the Determination is conclusive.
- 16 The Benefit of Clergy is taken away for the Felony, (*in 1 ante.*) or being mute, or challenging above the Number.
- 17 The General Issue pleadable on this Act, and treble Costs allowed Persons executing the same.



**Servants.**

**1 Geo. 2. c. 24.** Servants of Tradesmen, Artificers, Husbandmen or Dealers in 18  
Iron, &c. imbezelling, &c. (or consenting thereto) any Goods,  
Tools, &c. or Utensils belonging to his Master above 5 s. value,  
and under 40 s. or any Coals, Mineral, Ore or Timber, Iron, &c.  
being convicted on Oath before a Justice of Peace, shall be sent  
to the House of Correction, and be whipt at the next Market-  
Town, the next Market-Day.

The Constable of the Town to whip him, on pain of 20 s; 19  
a Second offence to be 3 Months in the House of Correction and  
whipt, or pay treble the Value of the Goods, &c. imbezled.

Any Person may by Warrant of 2 Justices search all suspected 20  
Places for such Coals, Timber, &c. purloined, and if found in the  
House of a Labourer, &c. he shall stand Convict of Stealing the  
same, unless he prove he came honestly by them.

Vid. *Accounts*, 2. *Aliens*, 7. *America*, *Artificers*, 3. *&c.* *Assault*,  
1, 2. *Conspiracy*, 7. *Executors*, 4. *Fire*, 3. *Game*, 11. *Holy-days*,  
2. *Menial*, *Plantation*, 5. *Recognizance*, 9. *Solicitors*, 2. *Swear-*  
*ing*, 1.

**Services.** Vid. *Chancery*, 3, 5. *Civil-Bills*, 5, 19, 21. *Lord's-day*,  
7. *Mortgages*, 5. *Tenure*, 1, 2.

**King's Service.** Vid. *Recognizance to the King*, 1.

**Service and Sacrament.** Vid. *Uniformity*.

**Sessions.** Vid. *Ale-house*, 1. *&c.* *Apprentice*, 2. *Artificers*, 11.

*Bail*, 6. *Bread*, 5, 22, 23. *Bricks*, 4. *Butchers*, 6. *Butter*, 12. *Certi-*  
*orari*, 1. *Civil Bill*, 18. *Coaches*, 16. *Customs*, 42, 66. *Drapery*, 24,

28, 30, 32. *Dublin*, 18. *Education*, 2, 7, 8, 10. *Escape*, 1. *E-*  
*streets*, 5. *Fees*, 24. *Felony*, 63. *Fish*, 12. *Forgery*, 5. *Game*, 10.

*Hedge-breakers*, 4, 6, 8. *Hemp*, &c. 1. *High-ways*, 16, 34. *Holy-*  
*days*, 3. *Horse*, 3. *Houses of Correction* per tot. *Justices of Goal-De-*  
*livery*, 4. *Justice of Peace*, 3, 6, 10. *Measures*, 13, 16, 17. *Mili-*  
*tia*, 8. *Papist*, 15, 60. *Parish-churches*, 55, 63. *Partition*, 12.

*Perjury*, 3. *Pewter*, 2, 5. *Provisors*, 11. *Register*, 11. *Religion*, 2,

9, 10. *Rivers*, 3, 61. *Schools*, 7, 12. *Servants*, 3, 12. *Sheep*, 3.

*Sheriff*, 16, 17, 24, 52. *Small Debts*, 6. *Supersedeas*, 3. *Swearing*,

3. *Tories*, 24. *Tythes*, 14, 16. *Vagabonds*, 10, 20. *Victuals*, 4,

5. *Watches*, 2. *Wine*, 5. *Wood*, 4, 10.

**Session-house.** Vid. *Grand-juries*, 2.

**Setting Dogs.** Vid. *Game*, 10.

**Settlement.**

**T**HE Acts of Settlement and Explanation made the 14th and 1

15th and the 17th and 18th Car. 2. being long since execut-

ed, and length of Possession, having by other Statutes gained a

good

good Settlement, are here therefore omitted being unnecessary; but here follows the Act of *Gul. 3.* confirming Estates, held under the said Acts.

- 2 None enjoying any Lands, &c. under the said Acts, shall be removed for any Nominee, Letteree, Ensign-man or Provifo-man, or otherwise howsoever, but shall hold the same discharged of the Clauses, whereby he was liable to accept of Reprizals. *10 Gul. 3. Sess. 2. c. 7.*
- 3 Persons decreed innocent, not having commenced Actions before this Act, are for ever barred, and all antient Incumbrances are barred.
- 4 Lands passed in Reprize to Adventurers, or Soldiers confirmed to them, as if passed by Certificate.
- 5 All Relief claimed by the King, is taken away and discharged of all Lands.
- 6 This Act not to prejudice the Right, &c. of *John Vernon* to *Clontarf*, and *Holy-brook*.
- 7 The Title of *Richard Coote*, to the Lord *Gormanstown's* Estate excepted.
- 8 By this Act the Right of Bishops is saved out of the said last Act. *10 Gul. 3. Sess. 2. c. 16.*
- 9 By this Act the Possessions, &c. of Bishops is confirmed to them in manner as Patentees are, and discharged from the Claim of innocent Persons, not commencing any Action before this Act, and also of antient Incumbrances. *2 Ann. Sess. 1. c. 9.*
- 10 Saving the Right of Protestants, adjudged by the Court of Claims, &c.

Vid. *Papists*, 21.

**Sewers.** Vid. *Rivers*, 8. *Watches*, 32.

**Shearmen.** Vid. *Drapery*, 10.

**Shalloon.** Vid. *Wooll*, 15.

**Shand, Alexander.** Vid. *Parish-Churches*, 12.

**Shandon St. Mary.** Vid. *Poor*, 6.

**Shankil.** Vid. *Parish-Churches*, 24.

**Shannon.** Vid. *Rivers*, 1. &c.

**Shares.** Vid. *Administrators*, 5. &c. *Wooll*, 38.

**Sheaves of Corn.** Vid. *Distress*, 20.

**Shee-Wemp.** Vid. *Linen-manufacture*, 55.

### Sheep.

- 1 BY this Act Sheep transported beyond Sea were forfeited, and the value. *3 H. 6. c. 2. Eng.*
- 2 No Sheep or Lambs to be sent or carried out of *England* or *Ireland*, on pain of forfeiture of Goods, &c. a Moiety to the Crown, the other to the Informer, and a Year's Imprisonment, and his left Hand cut off, the 2d offence is Felony. *8 El. c. 3. Eng.*

This



**Sheep.**† *Post*, 13.

This offence may be heard and determined at † *Affizes* and 3 Sessions.

12 *car. 2. c. 32. Eng.**Post*, 9, 10.

None shall export from *Ireland* to *Scotland*, *Jersey*, *Guernsey*, *Sarck* 4 or *Alderney*, or any foreign Parts, any Sheep, Wooll, of the Growth thereof, or Wooll-fells, Mortlings, Shortling or Yarn, Fullers-Earth or Fulling-Clay, nor pack or load them with intent to export them, on pain to forfeit 20 s. per Sheep, and 3 s. per each Pound of Wooll, Wooll-fells, &c. and the Owner of the Ship, knowing the same, to forfeit it, and the Master and Mariners to forfeit all Goods, &c. to the Crown and Informer.

*Vid. Ships*, 30. *cont.*

Merchants &c. offending are disabled to sue any Factor, &c. for 5 any Debt, Account or Estate, the Offences to be tried in the County where committed, or in the County where the Offender is taken, and to be prosecuted within one Year.

Any Person may seize the same, but shan't be Evidence on an 6 Indictment, &c.

*Ante*, 4.

Ships (of Aliens or Subjects not inhabiting in the Realm) where- 7 in the same is shipt, forfeited.

Not to extend to Lamb-Skins dressed, &c. nor to Sheep for 8 Provision of Passengers.

13 and 14. *car. 2. Sess. 2. cap. 18. Eng. †Post*, 10.

By this Act the said Offences in 4. *Ante*, were made Felony, and 9 all Persons, Revenue-Officers, &c. knowing the same, were made † Felonies.

But these Clauses and so much of this Act as relates to the 10 making the Exportation of Wooll, Felony, were repealed by 7 and 8. *Gul. c. 28. Eng. expired, but revived by 9. Gul. 3. c. 40. Eng.*

None shall screw or press with Engines, &c. any Wooll into 11 Bags, Packs, Butt, or Hoghead to be transported to foreign Parts from *England* or *Ireland*, or lay the same near the Sea or navigable Rivers, &c. with that intent.

No Packs, Sacks or Casks, &c. of Wooll, shall be carried from 12 Place to Place by Land in *Ireland*, but in the Day-time, and at seasonable Hours, (*see the Stat.*) on pain of Forfeiture, Exportation of said Goods made a common Nulance.

*Ante*, 3.*Vid. ships*, 30.

The said several Offences may be heard and determined at the 13 *Affizes* or Sessions.

*Vid. Butcher*, 5. *Cattle*, 1. *Clergy*, 16. *Distress*, 1. *Felony*, 27.

*Horses*, 3. *Market*, 1.

**Sheep-fells.** *Vid. Cloth*, 4.

**Sheriffs.**17 *E. 1. c. 2. Eng.*

S Heriffs not to be charged with Issues, nor shall levy any be- 1 fore they pass out of the *Exchequer*. A

- 2 A Baron and Clerk of the *Exchequer* shall go yearly in every County, and view the Tallies of the Green-wax pay'd, and hear and determine Complaints against Sheriffs.
- 3 The People shall have Election of Sheriffs, where 'tis not in Fee. 28 E. 1. c. 8.  
Eng. post, 7.
- 4 Sheriffs shall be assigned by the Chancellor, Treasurer, Barons of the *Exchequer*, and Justices, &c. Cons.  
9 E. 2. Eng.  
Stat. of Sheriffs.
- 5 Sheriffs, Escheators, &c. to have sufficient Lands where chosen, to answer the King and People. 4 E. 3. c. 9. Eng.
- 6 Sheriffs and Goalers shall receive Thieves and Felons without Fee. 4 E. 3. c. 10.  
Eng.
- 7 No Sheriff shall continue in the Office above one Year, and another to be chosen yearly, the next Day after *All-Souls* in the *Exchequer*. 14 E. 3. c. 7. Eng.  
28 E. 3. c. 7. Eng.  
Post, 8, 9, 13.
- 8 And by this Act no Sheriff, Under-sheriff, or Clerk, is to continue in the Office above one Year. 42 E. 3. c. 9.  
Eng. Ante 7.  
Post, 9, 13.
- 9 None who was Sheriff for one whole Year, shall be so again within 3 Years. 1 R. 2. c. 11.  
Eng. Ante, 7, 8.  
Post, 13, 34.
- 10 Sheriffs to be demurrant on their Bailiwicks, and not to let them to Farm. 4 H. 4 c. 5.  
Eng. Post, 45.
- 11 No Under-sheriff, &c. shall be Attorney in the King's Courts, as long as he bears the Office. 1 H. 5. c. 4.  
Eng.
- 12 Sheriffs to have Allowance upon their Accounts of things casual, as of Escheats, &c. that be not in Farm. 4 H. 5. c. 2.  
Eng.
- 13 Sheriffs, &c. acting contrary to the Stat. of E. 3. and R. 2. as ante, in 7, 8, 9. to forfeit 200 l. (except in *London*, and where the Office is an Inheritance) to the King and Prosecutor. A Pardon against this Statute shall be void. 23 H. 6. c. 8.  
Eng.
- 14 No Bailiff, &c. to be returned on an Enquest. No † Bond to be taken from a Person arrested, but for Appearance, and that to be made to the Officer himself. Sheriffs to make Deputies in the Courts, offending against this Act, to forfeit 40 l. to the King, &c. and treble Damages to the Party aggrieved. 23 H. 6. c. 10.  
Eng.  
† Post, 32.
- 15 Justices of Assize and of the Peace may hear and determine such Offences; if the Sheriff return a *Capi*, &c. he shall be chargeable with the Body of the Prisoner at the Day of the Return.
- 16 Sheriffs shall return Indictments, in the Turns to the Sessions, on pain of 40 l. and the Sessions to proceed therein, &c. 1 E. 4. c. 2.  
Eng.
- 17 The Sessions to deliver Estreats of the Fines to the Sheriff, to be levied to his own Use. Vid Estreats 5.
- 18 Sheriffs levying any Fine, &c. without Warrant from the Justice, to forfeit 100 l.



- 12 E. 4. c. 1. Sheriffs executing Writs on the 6th of *November*, being the 19  
*Eng.* Day of the Date of the Patents, or making Returns after the Year  
 is out, shall not incur the Penalties, as *ante*, 13.
- 17 E. 4. c. 6. The old Sheriff may execute his Office till the End of *Hilary*- 20  
*Eng.* *Term*, without Forfeiture.
- 3 H. 7. c. 3. Sheriffs, &c. on pain of 5 *l.* to return every Prisoner's Name for 21  
*Eng.* Felony, &c. in the Kalender to the Judges the next Assizes or Goal-  
 Delivery.
- 10 Car. 1. *Seff.* By this Act there was an Oath appointed to be taken by She- 22  
 3. c. 18. riffs, but the Oath is since altered.
- Vid. Post*, 50. Sheriffs acting contrary to the Oath, shall forfeit treble Dama- 23  
 ges to the Party aggrieved. (*Vid. Post*, 33.) the rest of this Act  
 is still in Force, tho' the Oath is altered.
- Offences committed contrary to this Act, may be determined at 24  
 the Assizes or Sessions.
- 7 Gul. 3. *Seff.* 1. Sheriff having passed his Accounts, and obtained his *Quietus*, 25  
 c. 13. shall be for ever discharged, unless he or his Executors, &c. be  
 questioned in 4 Years after.
- Officers issuing Writs contrary to this Act, to forfeit 40 *l.* with 26  
 Costs and Damages, and being a third time convicted, is disabled  
 of holding any Office.
- No Sheriff during his Office, shall be a Justice of Peace in the 27  
 same County, on pain of 20 *l.* and his Acts declared void; the For-  
 feiture to the King and Prosecutor, by Action of Debt in *Dub-*  
*lin*, no *Essoin*, &c. allow'd.
- 6 An. c. 7. Sheriffs, &c. neglecting, &c. to execute Executions, or hold an 28  
 Enquiry in the chief Town, &c. within ten Days after Receipt of  
 the Writ, and not giving the Plaintiff 8 Days Notice, shall for-  
 feit 20 *l.* or treble Damages in a Court of Record.
- Sheriffs, &c. refusing to pay on demand, or in 6 Days after the 29  
 Return is out, the Sum levied, shall answer double the same.
- The Sheriff on the Sale of a Lease for Years found by Enquest, 30  
 to post a Notice 8 Days before the Sale in the Shire-Town, &c.  
 naming the Parties and Debt, &c.
- On Escape no more shall be recovered from a Sheriff, Mar- 31  
 shal, &c. but what is really due, with Costs and Damages for Non-  
 Payment.
- 6 An. c. 10. The Sheriff, &c. taking Bail on Arrests by Process from the 32  
*Four-Courts*, shall on Request, assign the Bail-Bond to the Plain-  
 tiff, who may bring the Action thereon in his own Name.
- 11 An. c. 8. All Laws in Force relating to the Office of Sheriff, &c. not by 33  
 this Act repealed or altered, shall be duly executed.

- 34 None shall be Under-Sheriff, Sheriff's Clerk, or County-Clerk, *Ante*, 9. who officiated in said Office within 3 Years before, on Pain of *Post*, 54, 55. 500*l.* to the Work-house of the County and Prosecutor.
- 35 And the Defendant to be held to special Bail, and be for ever after disabled to be Under-Sheriff, &c.
- 36 Such Persons before Entry on the Office, to enter into a  $\dagger$  Recogni-  $\dagger$  *Post*, 37. zance of 200*l.* to the Crown, conditioned that he hath not taken the same to the Use of, or in Trust for any Person that was in within three Years next before, and that he will execute the same Personally, and that the Fees are to his or the High-Sheriff's Use, and not to delay Execution or Return of Writs, said Recognizance to be lodged in the *Exchequer*.
- 37 There was an Oath for the Sub-Sheriff in this Act, (but see  $\dagger$  *Post*, 50: *Post*, another Oath appointed) Persons officiating without entering into the Recognizance, and taking said Oath, to forfeit 500*l.* to the Uses *Ante*, 34. and on Breach of said Oath, the Party to be punished as in willful Perjury.
- 38 No Sub-Sheriff to act as Clerk of the Peace in the same County, on pain of 500*l.* to the Uses *Ante*, 35.
- 39 The Sheriff's Court-leet, or County-Court, shall be held near 6 *Geo.* 1. c. 6. the Centre of the Barony, and after 9 in the Morning, on pain of Fine, at the next Assizes or Sessions.
- 40 The Fees due to the Officers in the *Chancery* and *Exchequer*, on taking 12 *Geo.* 1. c. 4. out the Sheriff's Patent (*prout* the Schedule in the Statute at large) amounts in the whole to 7*l.* 1*s.* 6*s.* and the Officers on Pain of 5*l.* (to be recovered before the Barons in a summary Way) shall take no more.
- 41 Sheriffs to have 1*s.* *per* Pound, not exceeding 100*l.* and 6*d.* after for all Money collected for the King by Process of the Pipe or Green-wax, by *Levar' Fac'* (except *Post* Fines) and 1*s.* 6*d.* *per* Pound, not exceeding 100*l.* and 1*s.* after on a *Fier' Fac'* for the King out of the *Exchequer*, provided the Sheriff duly answer the same on his Accounts.
- 42 No Sheriff shall be attached for Neglect in finishing his Accounts, &c. but by Writ from the *Exchequer*, or by Warrant of the Chief or other Barons.
- 43 Persons wilfully hindring Sheriffs to pass their Accounts, or to sign, &c. the *Quietus est*, shall make such Satisfaction as the *Exchequer* shall think fit.
- 44 The Sub-sheriff shall execute the Office in case of the Death of the High-sheriff within the Year, in the Name of the deceased Sheriff, and his Security shall be answerable to the King, &c. for the Execution thereof.



Ante, 10.

None on pain of 500 *l.* to the King and Prosecutor, shall buy, sell or 45  
farm the Office of Sub-sheriff, &c. or give or receive any Considerati-  
on for the same. (Prosecution on this Act to be within 2 Years.)

But shall not hinder the High-Sheriff from appointing a Sub- 46  
Sheriff, &c. and to allow him a Salary, but to account for the Fees.

The Barons of the *Exchequer* may amerce the Clerks of Assize and 47  
Peace neglecting, &c. to return *Estreats*.

Sheriffs, &c. collecting the King's Debts, to take but 4 *d.* for 48  
an Acquittance, and shall effectually discharge the Debtor, by tot-  
ting for the Debt on his Accounts, on pain of treble Damages, and  
double the Sum nihil'd.

Sheriffs, &c. demanding more or less from the Debtor of the 49  
Crown, on pretence of any Process or Fees, contrary to this Act,  
shall be adjudged guilty of Extortion, and forfeit treble Damages,  
with Costs, and double the Sum extorted, to be ordered by the  
Barons in a summary Way, if prosecuted within two Years; Or-  
ders of the Barons herein to have the same Force as other Decrees.

Instead of the Oath mentioned, *Ante* (22, and 37.) by this Act 50  
an Oath is appointed to be taken by Sheriffs and Sub-Sheriffs, both  
which (*see in the Stat. at large.*)

The Sub-Sheriffs Oath to be administred by the Commissioners 51  
named to swear the High-Sheriff, or by the Barons.

*Quer. If Po-  
pish Freehol-  
ders included.*

The Sheriffs shall, at the grand Turn at *Michaelmas*, take Enquest 52  
of, and make a Return of all Freeholders of 40 *s. per Annum* and  
more, in every Barony, to the Sessions in *January*, and the Clerk  
of the Peace to transmit a Copy thereof yearly, to each of the  
*Four-Courts*; said Sheriff and Clerk neglecting, to forfeit 5 *l.* to the  
King, &c. in a summary Way, before the Judges of the Court  
whereto that Return ought to be made.

The Sum of 5 *l.* 7 *s.* Fees, to be paid by all Sheriffs of Coun- 53  
ties, for passing their Accounts. (*See the Schedule in the Stat. in large.*)

3 Geo. 2. c. 9.

Persons taking the Office of Sub-Sheriff, to act in Trust for a 54  
Person, knowing him to have been Sub-Sheriff, within three Years,  
next before, and the High-Sheriff knowingly appointing such, to  
forfeit a Sum, (as *Ante*, 34.)

Any Person may file a Bill against the High and Sub-Sheriff, &c. 55  
for Discovery of said Practices, the Answer thereto shall be Evi-  
dence, and no Plea or Demurrer thereto allowed, but if Vexatious  
shall be dismissed with full Costs.

This last Clause of this Act about filing the Bill, is in Force to 56  
the 1st Day of *March*, 1733. continued to the 25th *March*, 1740.  
by 7 Geo. 2. cap. 7.

*This in two  
Months ex-  
ceeds the Ci-  
vil-Bill Act.*

All Sheriffs, in a Month after entring on the Office, to appoint 57  
four Deputies in the County, to grant *Replevins*, on pain of 10 *l.*  
per

## Sheriffs.

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*per Month, By Civil Bill, and to take no Fee from them, on pain of 50 l. to the Prosecutor. (Vid. Distress, 18.)*

- 58 No Sheriff, &c. shall return a *Devastavit*, but on Inquisition taken by twelve Men on Oath, to whom Challenges may be taken, and the Defendant, &c. to have fifteen Days Notice; the Inquisition shall not be held in a County where no Evidence can be given of the *Devastavit* there committed, unless the Intire was committed out of the Kingdom. 5 Geo. 2. c. 4.

Vid. *Accounts*, 1, 3. *Actions Popular*, 6. *Addition*, 3. *Amerciament*, 10. *Arrest*, 5, 6. *Assize*, 2, 12, 14. *Attaint*, 8. *Attorneys*, 8. *Bail*, 3. *Bailiff*, 1. *Barracks*, 3. *Challenge*, 3, 4. *Chyrographer*, 3. *Civil Bill*, 11, 13, 22. *Coroners*, 1, 9. *Cosherers*, 2. *County-Courts*, 1, 5. *Customs*, 60, 61, 70. *Debt to the King*, 3. *Distress*, 7, 10. *Escheator*, 5. *Estreats*, 4, 5. *Exchequer*, 1, 2. *Execution*, 7. *Execution of Statutes*, 1. *Extortion*, 1. *Fees*, 9, 19, 24, 26, 36, 38. *Felony*, 30, 31, 33, 48, 54. *Forcible Entry*, 3. *Glebes*, 3, 25. *Gold*, 14. *Habeas Corpus*, 7. *Hearth-money*, 10. *High-ways*, 37. *Indictment*, per tot. *Issues lost*, 2. *Judicial Proceedings*, 3. *Jurors*, 10, 11, 12, 14. *Justices of Goal-delivery*, 2. *Justice of Peace*, 3. *Measures*, 4. *Nisi prius*, 6. *Oaths*, 1. *Officers*, 1. *Parliament*, 4, 7, 17, 33, 35, 44, 47. *Partition*, 4, 5, 21. *Pleas of the Crown*, 1. *Prisoners*, 6, 7, 8. *Proclamation*, 1, 2. *Recognizance*, 3, 4. *Rent*, 45. *Restitution*, 1. *Return of Sheriffs*, 1, &c. *Riot*, 1, &c. *Rivers*, 3. *Schools*, 4. *Small Debts*, 4, &c. *Tobacco*, 2. *Trespass*, 1. *Trusts*, 3. *Vagabonds*, 15. *View*, 3. *Wears*, 3. *Wreck*, 4.

**Sheriff's Clerk.** Vid. *Sheriff*, 34. *Solicitors*, 4.

**Sheriff of Com' Dublin.** Vid. *Poor-house*, 1.

**Shilling.** Vid. *Corn*. 11.

## Ships and Shipping.

- 1 NO Owner of a Ship shall forfeit the same for a small thing put therein without his Knowledge, not customed for (Vid. *Eng. Recognizance*, 9.) 38 E. 3. c. 8.
- 2 By this Statute no Subjects were to import or export Merchandize in any Ships but *English*, on pain of Forfeiture. 5 R. 2. c. 3. Eng.
- 3 But this Statute gave Power to Merchants to hire other Ships. 6 R. 2. c. 8. Eng.
- 4 None to ship Wooll or Merchandize of the Staple, but at the Ports appointed by the Statute. (Vid. *Recognizance and Staple*, 7.) 15 H. 6. c. 8. Eng.
- 5 Goods imported or exported, to or from any Territories belonging to the King in *Asia*, *Africa* or *America*, to be in Vessels belonging to the *English* or *Irish*, &c. and the Master, and 3 fourths of the Marines to be *English*, on pain of losing the Goods and Vessels. 12 Car. 2. c. 18. Eng.
- 7 Goods of the Growth of *Asia*, *Africa* and *America*, to be imported in Ships belonging to *England* and *Ireland*, &c. on pain of Forfeiture to the King and Prosecutor. † *Post*, 21.



## Ships and Shipping

No Goods of foreign Growth, &c. shall be imported in *English* Ships, but from the Places of their Growth, &c. on pain of Forfeiture, as aforesaid.

Ling, &c. and other salt Fish, Oyl or Blubber made of Fish, or Whale Fins or Bones imported, and not caught in Vessels belonging to *England* or *Ireland*, and the Fish not cured, or the Oyl not made by the People thereof, shall pay double Aliens Customs.

None to lade any Goods in any alien Ships, &c. from one Port to another in *England* or *Ireland*, on pain of Forfeiture.

Abatements in the Book of Rates, to extend only where the Master and 3 fourths of the Crew are *English*, during the whole Voyage (Death, &c. excepted.)

No Goods of the Growth of *Russia*, *Muscovy* or *Turky*, nor Masts, Timber, Boards, foreign Salt, Pitch, Tar, Raisins, Rosin, Hemp, Flax, Figs, Prunes, Olive-Oyl, Corn, Sugar, Pot-Ashes, Wine, Vinegar, Aquavitæ or Brandy, shall be imported, but in such Ships, except of the built of the Country, and Sailors of the same, on pain of Forfeiture as aforesaid.

And to prevent the concealing of Aliens Goods; all Wines of the Growth of *France*, *Germany*, *Spain*, *Canaries*, *Portugal*, *Madera*, &c. and all the aforesaid Commodities imported in any other Ships, &c. shall be deemed Aliens Goods, and pay as such.

No Privileges to be allowed by the Officers to foreign built Ships, nor *English* Ships for foreign Goods, without Certificate and Oath, on pain of forfeiting their Places.

*Ante*, 8.

A Saving for the Goods imported from the *Streights* or *Levant-Sea*, tho' not of the Growth thereof.

† *Alter'd by the Union since.*

The like Saving for *Spanish* and *Portugal* Goods, and for Bullion, and Goods taken by Reprizal, not to extend to † *Scotland*.

A Duty imposed on *French* Ships, so long as a Duty of 50 Sols per Tun on *English* Ships, shall be continued by the *French*.

Sugar, Tobacco, Cotton, Wool, Indigo, Ginger, Fustick of the Growth of the *English* Plantations not to be ship'd, &c. to any other Land except to *England* and *Ireland*, &c. on pain of Forfeiture or the Value.

*English* or *Irish* Ships, sailing to the Plantations, first to give Bond to the chief Officer of the Customs of 1000 *l.* (if 100 Tons and 2000 *l.* if above conditioned, to bring the Goods to *England* or *Ireland*) on pain of Forfeiture.

## Ships and Shipping.

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- 20 The Governor of the Plantations to take like Bonds from other Ships.
- 21 Tho' 'tis required † *ante*, that the Master, and 3 4ths of the Mariners be *English*, by this Act *Irish*-men are deemed *English*. 13, 14 Car. 2. c. 11. Eng.
- 22 By this Act Ships taken in the War, and 2 Ships of *Boston* were made free. Ante, 5. 19 Car. 2. c. 11. Eng.
- 23 None to land any Goods of the King's Plantations in *Asia*, *Africa* or *America* in † *Scotland* or *Ireland* (Stress of Weather, and Leak excepted) unless first landed in *England*, and the Duties paid, on pain of Forfeiture of Ship and Goods. (Vid. *Ireland*, 7. Some Alteration made in this.) 7 & 8 Gul. 3. c. 22. Eng. † Altered by the Union.
- 24 Proprietors of Lands in *America* not to alien the same to Aliens without Licence; Governors appointed by such Proprietors to be first approved of by the King.
- 25 No Ship to be qualified to trade to the Plantations till she is Registered, and Oath made where built, and that no Foreigner has a Share in her, to be administered by the Governor abroad, or the Collectors at home, otherwise to be subject to Forfeiture.
- 26 Ships taken as Prizes to be made free on Oath of the Property; and if a registered Ship's Name be changed, she shall be registered *de novo*.
- 27 Natives may import into *England* from *Ireland*, Hemp, Flax, Thread, Yarn and *Irish* Linen Custom-free, on Certificate of Oath being made of the Growth of the Goods, &c. This is confirmed, by 1 An. c. 8. Eng.
- 28 *English*-made Sail-cloth to be exported Duty-free.
- 29 Ships hovering on the Coasts of *Ireland*, of 50 Tuns or under, within 2 Leagues of the Shore, the Officers of Customs may enter such, to take Account of the Lading, and demand Security of the Master in treble the Value of the Goods on Board, that they will proceed regularly on their Voyage; and unless they depart in 20 Days, the Goods to be landed and the Duty paid; and if Wooll or prohibited Goods on Board, to be forfeited. 6 Geo. 1. c. 21. Sect. 69. Eng.
- 30 Commissioners of Excise in *Ireland* to determine all Offences relating to the unlawful Exportation of Wooll, &c.
- 31 None to claim Property in any Seizures of Wooll in *Ireland*, till they have given Security to answer the Penalty attending the Forfeiture, if the Seizure be good in Law. Vid. Wooll, 39.

Vid. *Aliens*, 6. *Ballast*, 1, &c. *Cattle*, 2. *Coin*, 7. *Corn*, 10. *Customs*, 2, 20, 49, 103, 120, 122, 133, 153. *East-Indies*, 1. *East-India Goods*, 1. *Edystone*, 1, 2. *Fish*, 8. *Isle-man*, 1. *Safe Conduct*, 1. *Sheep*, 7. *Treason*, 4. *Wooll*, 8, 15, 17, 28, 36. *Wreck*, 1, 7, 10.

**Ship-money.** Vid. *Taxes*, 5.

**Ships careening.** Vid. *Dublin*, 35.

**Shire**



**Shire Grounds.** Vid. *Counties*, 5, 6.  
**Shops.** Vid. *Customs*, 158. *Gaming*, 11. *Pewter*, 1, &c.  
**Shopkeepers.** Vid. *Customs*, 28. *Register*, 22.  
**Shooting.** Vid. *Game*, 2, 5.  
**Shore.** Vid. *Wooll*, 17.  
**Shortlings.** Vid. *Sheep*, 4.  
**Shovel-board.** Vid. *Gaming*, 1.  
**Shrewsbury, Earl.** Vid. *Absentees*, 1.  
**Shrimps.** Vid. *Fish*, 22.  
**Shure.** Vid. *Rivers*, 36. *Wears*, 3.  
**Silk.** Vid. *Customs*, 17, 100, 154. *East-India Goods*, 1.  
**Silva Coedua.** Vid. *Underwood*.

### Silver.

35 H. 6. c. 1. **A**LL Foreigners shall pay 40 d. per Pound Custom for Silver  
 carried out of Ireland.  
 Vid. *Bullion*, 1. *Coin*, 2, 10, 18.  
**Singleton, Henry.** Vid. *Rivers*, 36, L.  
**Sisters.** Vid. *Administrators*, 6.  
**Sites.** Vid. *Scites*.  
**Sir Clerks.** Vid. *Barristers*, 2. *Solicitors*, 7.  
**Six Days Labour.** Vid. *High-ways*, 1, 14, 17, 25, 60.  
**Skeins.** Vid. *Papists*, 5.  
**Skins and Skinners.** Vid. *Wood*, 3.  
**Skins and Hides.** Vid. *Fells. Hides*, 1, 4. *Leather*, 1. *Wood*, 3.  
**Skippers.** Vid. *Masters of Ships*.  
**Slain in Rebellion.** Vid. *Outlawries*, 2.  
**Slander.** Vid. *Limitation*, 8. *Scandalum Magnatum*, 1, &c.  
**Slane.** Vid. *Parish-churches*, 30.  
**Slaney.** Vid. *Rivers*, 26.  
**Slaters.** Vid. *Servants*, 3.  
**Slaughtering.** Vid. *Merchants*, 12, 13.  
**Sligo.** Vid. *Ballast*, 11. *Corn*, 16. *Rivers*, 24.  
**Sloops.** Vid. *Linen-Manufacture*, 67. *Wooll*, 28, 36.  
**Small debts.** Vid. *Debts. Fees*, 34.  
**Smith-field.** Vid. *Market*, 1, 2.  
**Soakage.** *Butter*, 14.  
**Socage.** Vid. *Court of Wards*, 2, 3.  
**Society.** Vid. *Fish*, 28.

### Soldiers.

10 H. 7. c. 19. **B**Y this Act Subjects were to quarter Soldiers in Time of Hostility, and a Price for their Victuals was rated, and 12 d. a Time for refusing them, forfeited to the King.

By

- 2 By this Act, all the Soldiers in the Army in *Ireland* not being <sup>10 Gul. 3. c.</sup> natural born Subjects, were declared to be disbanded, and the Army <sup>1. Eng.</sup> to be reduced to 12,000 Men, and to be maintained at the Charge of *Ireland*.
- 3 No Alien naturalized, to be within the Meaning of this Act.
- 4 A † Detachment of 15 in Number, not to march without a <sup>6 An. c. 14.</sup> commission'd Officer who shall be answerable and make Satisfaction <sup>† Post, 5.</sup> for their Trespasses on pain of 5*l.* which shall be paid by the Pay-master-General on producing a Justice of Peace's Certificate of the Damage.
- 5 No Detachment under 15, to march without a Serjeant or Corporal, Damages to be made good not exceeding 40*s.* by the Captain <sup>Quer. If they be exactly 15.</sup> of the Troop or Company, on pain of 5*l.* as aforesaid.
- 6 Magistrates to provide Carriages on producing the Rout, or a <sup>Post, 8, 17.</sup> Copy thereof in 12 Hours, 3 wheeled or 6 slide Cars, for a Troop or Company; Constable's neglecting executing his Warrant, to forfeit 10*s.* before a Justice of Peace who signed the Warrant, for the Poor.
- 7 Officers taking the Carriage above a Day's March (except on the Constable's neglect, to find others) suffering Women, &c. to ride thereon, or forcing Constables to find saddle Horses, or taking a † <sup>† Vid. Horses, 1.</sup> Horse by force, shall forfeit 40*s.*
- 8 Wheel-carriage to carry 400 Weight, the Owners first to be <sup>Post, 17.</sup> paid 2*d.* per Mile, and 1*d.* for a slide Car, which shall be repaid by the Pay-master General.
- 9 Lord Mayor of *Dublin* to have 24 Hours Notice to provide Cars: No Country Carriages to be pressed in *Dublin*, (<sup>Post, 17.</sup>)
- 10 By this Act, no Soldiers are to be quartered but on the March, <sup>Post, 13.</sup> or in time of Motion, nor in *Dublin* on pain of 50*l.* but see *Post*.
- 11 Officers or Soldiers, destroying the Game without leave from the Lord of the Mannor under Hand and Seal, the Officer to forfeit 5*l.* and the commanding Officer shall pay 10*s.* for the Soldier, on pain of forfeiting their Commissions, Forfeitures go to the Poor, by Warrant of a Justice of Peace.
- 12 Constables &c. not obliged to billet more Soldiers than is returned to them in a List of their Names in Writing.
- 13 That Part of the above Act (*Ante*, 10.) prohibiting Soldiers to <sup>4 Geo. 1. c. 7.</sup> be quartered in *Dublin*, is by this Act repealed, and the Army, when transporting from *Dublin* or landing there, may be quartered as usual, but on landing not to stay above 6 Days.
- 14 This Act was made for Liberty to export Cloathing from *Ireland*, for the 3 Regiments then in the *West-Indies*. <sup>1 An. c. 13. Sect. 111. Eng.</sup>
- 15 Regiments which served in the then late War in *Ireland*, were <sup>ibid. c. 20. S. 2.</sup> by this Act allowed *English* Pay.

By



**Soldiers.**4 Geo. 1. c. 11.  
Eng.(These 3 last  
Stat. exp.)

3 Geo. 2. c. 10.

By this Act, Commissioners were appointed for stating the Debt of the Army, and the Accounts of the Regiments then sent from England to Ireland.

By this Act, 3*d.* per Mile for Wheel, and 1*d.* for Slide-cars, and double that Sum if they take them a Two-days March, is to be paid by the Officers, to be re-imburled by the Pay-master General: Officers putting more than 4 C. Weight, on such Car, to forfeit 10*s.* before a Justice of Peace: No Cars coming to any Country-market to be pressed.

Vid. Captains, 2, 3, 4. Corporation, 3. Felony, 44. Game, 12. Marriages, 8. Settlement, 4. Swearing, 1. Wills, 15.

**Solicitors.**10 Gnl. 3. 5ff.  
2. c. 13.

† Post, 4.

**N**ONE shall practise as a Solicitor, Agent, Manager or Seneschal, without taking the Oaths, on Pain of 100*l.* to the Prosecutor; and being convict, shall be disabled to be Executor, Administrator, or take a Legacy or Grant.

And none to act as Solicitors, &c. (except in his own Cause, and his menial Servants) that does not take the Oaths, &c. and breed their Children Protestants.

Post, 21.

A Saving here for Solicitors comprehended in the Articles of Limerick.

6 An. c. 6.

No Papist shall act as a Solicitor in any Court, or Clerk to a Sheriff, or on Commissions, before he takes the Oath, &c. (as in Tit. Oaths, 5 and 12.) on Pain of 200*l.* and the Disabilities, ante, 1.

Any Person seeing a Papist practising, may, in Court, demand the Oaths to be tendered; and, on his Refusal, and Proof of his practising, the Party shall stand convict, and be committed in Execution till he pay the 200*l.*

Barristers, Attorneys, &c. to give their Testimony on this Occasion.

No Attorney, Six Clerk, &c. to take a Papist Apprentice; and no Officer, &c. to suffer a Papist Solicitor to inspect Records, on Pain of 50*l.* Offenders herein, to be held to special Bail.

The like Saving here, as ante, 2 and 3.

7 Geo. 2. c. 5.

After the last Day of Michaelmas-term, 1234. none to practise as a Solicitor in the Four-courts, not licenced by this Act; the present and all future Masters and Six Clerks in Chancery, Attorneys and Officers, and some others, excepted.

None but a Protestant, from 14 Years old, or 2 Years before the Time of Admission, shall be admitted an Attorney or Solicitor in the Four-courts, and served 5 Years Apprenticeship to Six Clerk or Attorney in England or Ireland, or Solicitor admitted, and Affidavit of

- of such Service to be filed in the same Court without Fees, and shall take the Oaths, *as in Tit. Oaths, 12. and in this Act.*
- 11 If the Affidavit is falsified, the Admission to be declared void, and prosecuted for Perjury.
- 12 Six Clerks, Attorney and Solicitor, shall register the Indentures of Apprenticeship the next Term after Execution, in their own Court respectively, 1s. Fee for the registering; on Default of which, the Apprentice shall not be admitted.
- 13 All Barristers, Masters in *Chancery*, Six Clerks, Attorneys, Solicitors, Officers of the *Four-courts*, and Deputies, admitted before the 1st May, 1734. shall, before the last Day of *Michaelmas*-term then next, take the Oath (*which see in the Stat. at large*); and these admitted after said 1st Day of May, to take it in the same Term when admitted: All said Persons neglecting to take said Oath, are incapable to act till they take it. *Vid. Post, 27.*
- 14 The Lord Chancellor, and Judges of each of the *Four-courts*, may administer the Oath.
- 15 Any of the Judges may, upon Suspicion or Notice signed by the Party, summon a Solicitor practising in his Court, who is disqualified by this or former Laws; and, on Confession or Proof, to punish him as for a Contempt of that Court; the Fine not to exceed 50*l.* or less than 25*l.* and the Imprisonment not to exceed 6 Months: This Punishment to exempt the Party from the Forfeiture of the former Laws.
- 16 Every Person not qualified as *above*said, shall be deemed a Solicitor within the former Act and this, that draws Dictates or Briefs, Pleadings or Depositions, or Copies of Depositions, or takes upon him the Direction or Management of a Cause in the *Four-courts* where he is no Party, nor interested.
- 17 *Protestant* Solicitors hitherto practising, may be admitted to practise, who shall be licenced before the last of *Trinity*-term, 1734. taking the Oaths, as *ante*, 10. and to register their Licence in their respective Courts; and all Solicitors, for the future, to register their Licence in like manner, before they practise.
- 18 The Lord Chancellor, Master of the Rolls, and Barons of the *Exchequer*, may grant the Licences under Hand and Seal.
- 19 The Names of all Solicitors admitted, to be screen'd in the Court wherein admitted, the First Day of the ensuing Term, and to continue the whole Term.
- 20 Six Clerks to have no more than 6 Apprentices at a time, and Attorneys and Solicitors 3.
- 21 Not to extend to Solicitors comprehended in the Articles of *Limerick*, who took the Oath of Abjuration before July, 1707. and so as he keeps but one *Papish* Clerk.



**Solicitors.**

Present Apprentices to be admitted as usual, taking the Oath in 22  
this Act.

*Vid. Mar-  
riages, 7:  
Post, 24.*

Barristers, Six Clerks, Attorneys and Solicitors, marrying *Papish* 23  
Wives, and not converting them within a Year, and inrol a Certifi-  
cate thereof, or educating their Children *Papists*, shall be deemed  
*Papists*, and disabled to practise.

But if said Husband survives said Wife, the Disability shall cease. 24

In Case of the Death of the Master, vacating the Indenture, or 25  
discharging the Apprentice, he may serve out his Time with ano-  
ther, and shall be as effectual as 5 Years to any one Master.

Officers of the Courts not to have above 4 Clerks each at a time; 26  
who shall be admitted Attorneys and Solicitors in their respective  
Courts, serving 5 Years.

Persons, out of the Kingdom, may take the Oaths the Term next 27  
after their Return.

None, not qualified in the *Four-courts*, shall practise at the As- 28  
sises, *Oyer* or *Terminer*, or before Commissioners or Sub-commis-  
sioners of the Revenue, or Commissioners of Appeals, on Pain of  
being punished, as *ante*, 15.

This Act not to extend to Suits or Prosecutions for Crimes punish- 29  
ed with Death.

*Vid. Bail, 9. Usury, 6.*

**Solicitor General.** *Vid. First-fruits, 20. Nisi prius, 8. Poor-  
house, 1.*

**Solemn League and Covenant.** *Vid. Uniformity, 15.*

**Son.** *Vid. Marriage, 10. Papists, 26. Trespass, 2.*

**Son and Heir.** *Vid. Papists, 21, 33. Women, 5.*

**Songs.** *Vid. Cosherers, 1. Uniformity, 2.*

**Sorcery.** *Vid. Witchcraft 1.*

**Sovereigns.** *Vid. Magistrates.*

**Southwell, Lord.** *Vid. Rivers, 36. M.*

**Spain.** *Vid. Ships, 13.*

**Spaniels.** *Vid. Game, 2.*

**Spawn.** *Vid. Fish, 11.*

**Speaker of the House of Commons.** *Poor-house, 1. Rivers, 36.*

**Spear.** *Vid. Fish, 13.*

**Special Bail.** *Vid. Bail, 12. Sheriffs, 35. Solicitors, 7. Tenants, 2.*

**Specialties.** *Vid. Bail, 12. Bankers, 4. Limitation, 18.*

**Spinners.** *Vid. Hemp, 3. Linen Manufacture, 64.*

**Spirits.** *Vid. Brandy.*

**Spiritual Courts.** *Vid. Ecclesiastical-Courts, Perjury, 3. Prohibi-  
tion, 3.*

**Spiritual Laws.** *Vid. Ecclesiastical-Laws.*

**Spiritual**

**Spiritual Livings.** Vid. *Ecclesiastical-Livings, Limitation, 9.*  
*Twentieth Part, 1. Waste, 3.*

**Spiritual Persons.**

- 1 **C**onsuance of the avoidance of Benefices belongs to the Ecclesiastical Judges. 25 E. 3. c. 8. Eng.
- 2 Parsons, Vicars, Wardens of Chapels, Priests of Chanteries, &c. shall have the Writ of *Juris utrum* for the Lands, &c. annexed to their Livings. 14 E. 3. c. 17. Eng.
- 3 Ecclesiastical Judges shall not be indicted for suits for Tythes in the Spiritual Courts. 1. R. 2. c. 13. Eng.
- 4 Parsons shall not be molested in Preaching or doing Divine Service. (*Vid. Arrest, 3.*) 1. R. 2. c. 15. Eng.
- 5 No Bishop or other Clergyman having Promotions or Benefices in England, &c. shall enjoy any Benefices in Ireland at the same time, and all Grants to such Persons are declared void, and the like in case of Irish Clergy promoted or accepting another Benefice in England, the Irish Livings are void. 17. and 18 car. 2. Sess. 5. cap. 10.
- 6 All Spiritual Persons Building or Improving on the Church-Lands, &c. shall be paid by their Successors, &c. (*as Post 17.*) on a Certificate of the value from the Chief Governor in case of an Archbishop, and from an Archbishop, in case of a Bishop, &c. to be paid in case of Removal or Translation, in 4 half yearly Payments, and 2 half Years in case of Death, by Distress, Sequestration, or Action of Debt. 10 Gul. 3. Sess. 3. c. 6.
- 7 Spiritual Persons may, by proper consent, purchase Houses to live in, or Lands to build upon as their Demetne or Mensal Land, and to be paid by the Successors as in other cases.
- 8 Made lawful for the then Bishop of Limerick, to convey his House to his Successors, other Clauses for the then Bishops of Elphin and Dromore to build, and to be paid as aforesaid.
- 9 Where Ecclesiastical Persons suffer the Mansion-house, &c. to decay, the Successor shall recover against them their Executors, &c. sufficient to repair the same, and on neglecting in 6 months, and to lay out the Sum so recovered, his Livings shall be sequestered and laid out on the Repair.
- 10 And where Dilapidations shall be, and that the Parson grants, &c. his Personal Estate to avoid the Repair, such Grant, &c. is declared void against the Successor.
- 11 No Rector, Vicar, &c. shall demise a Mansion Glebe, Built or fit to be Built upon for his Residence for longer than one Year in Possession, longer Leases, &c. made void.
- 12 Certificates of Valuation to be first Registered in the Diocess, and Exemplification of them to be good Evidence when the Original is lost.



## Spiritual Persons.

6 Geo. I. c. 13.  
Post, 33.

The Parish Church of Kiltobork to be built in Carrick-Drumrusk.  
The Bishop or Ordinary may ascertain the Allowance of a Curate presented to him for License by a beneficed Parson, but not exceed 50 l. per Ann. or lower than 20 l. and all disputes between the Rector, &c. and Curate to be determined by him, and may sequester the Livings for payment.

12 Geo. I. c. 10.

And one Curate shall serve an Incumbent of an Union, not exceeding 3 Miles.

Certificates of Valuation of Building to contain the yearly Value of the Living, on which the Improvement, &c. is made only, and no other unless of a real Union inseparable.

Post, 19.

Instead of the Sums that were payable by 10 Gul. 3. c. 6. Ante, 6. the first is to receive 3 4ths of the value of the Building, &c. from his Successor; the second two Thirds from his Successor, &c. the 3d. to receive one 4th of the first value, but none to pay more than a Year and half's Value of the Income.

No Certificate to be made out, unless the House be made of Stone or Brick and Lime, and the Timber, Oak, Firr, &c. and Slated, &c. but on Livings under 100 l. per Ann. the House may be thatched.

Bishops not having 100 Acres Menial-lands may purchase 200 Acres, whereon half the yearly value of Rent may be reserved, and shall be paid by the Successor for said Lands, and Improvements thereon in proportion, as Ante, 17.

The Bishop, &c. before he builds a House, &c. to give a Model thereof to the Person who is to give the Certificate, and the Valuation to be made accordingly, and the Certificate shall be given if agreeable to such Model, otherwise not.

Wainscot in Livings under 300 l. shall not be deemed Improvements.

Chief Governor and Bishops may grant Commissioners and swear the Commissioners to return a true Value of such Houses, &c. the Commissioners may administer an Oath on the account, out of which Valuation Allowance must be made for Dilapidations, if any and like Commissioners to view and return the same, no Certificate to be made of Houses before the 10 Gul. 3.

1 Geo. 2. c. 18.

Bishops, &c. by Commissioners or otherwise, to return the yearly Value of all Livings, with Cure not exceeding 30 l. per Ann. to the Commissioners of the first Fruits, which Return shall be recorded and deemed the only Evidence of such Value.

Any Person, &c. may augment any such Livings, &c. whereof the Advowson shall belong to any Bishop, Dean, or Dean and Chapter, not exceeding 70 l. per Ann. more, and the Advowson shall be thereby vested in the Donor for ever.

Several

## Spiritual Persons.

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- 25 Several Persons joining in such Augmentation, shall present by Turns.
- 26 Any Person may allot one Acre 2 Miles from the Mother-church to build a Chappel, and the Person endowing the same with 30*l.* and not above 50*l.* *per Annum* shall be the Patron for ever, and may give it a Name.
- 27 All such Churches, &c. so augmented or endowed, shall be perpetual Cures, and the Ministers a Body Politick, and all Persons may grant Lands, &c. to any such Parson, not exceeding 70*l.* or 50*l.* *per Annum*.
- 28 All Conveyances by this Act are confirmed, but must be by consent of the Commissionres of the First-fruits, and be inrolled in *Can.* in 6 Months.
- 29 Impropiators, or Patrons of such augmented Churches, or the Rector of such Mother-church to have no Benefit by such Augmentation or Endowments, but shall pay the Curates such Pensions as before this Act.
- 30 The said Churches are made subject to the Visitation of the Bishop, a Lapse on the Avoidance to be as in other Cases, with like Remedy.
- 31 Non-residence for above 61 Days in one Year, creates an Avoidance, and the Incumbent is disabled, but the Bishop to give 6 Months Notice to the Patron, if the Patron nominate before Advantage taken 'tis effectual tho' out of time, even against the Crown.
- 32 Bishops, all spiritual Persons, Fellows of Colleges, Governors of Hospitals may grant a third Part of any Wood (not being Timber) for preserving it, and if such Tenant's Lease is not renewed, or is expired before he has any Benefit, the Reversioner to pay him.
- 33 The Bishop licensing any Curate by any other Title, to assist an Incumbent, shall allow him a Stipend not exceeding 50*l.* and not under 10*l.* *per Annum*, and shall determine all Differences touching such Stipend.

*1 Geo. 2. cap.*

*22.*

*Ante, 14.*

*Vid. Convocation, 1.*

**Spiritual Promotions.** *Vid. Promotions, Ecclesiastical Promotions, English Language, 3, 4.*

## Spiritualty.

- <sup>1</sup> **A**LL Statutes, Grants, &c. made for preserving the Liberties of the Church shall be observed (where they are not revoked). *4 H. 7. c. 3. Eng.*  
*Vid. Guardian of.*

## Sports.



- Sports.** Vid. *Pastimes*.  
**Spout-Water.** Vid. *Dublin*, 12.  
**Spratts.** Vid. *Fish*, 22.  
**Squibs.** Vid. *Fireworks*, 1.  
**Stabbing.** Vid. *Clergy*, 9.  
**Stage-Coach.** Vid. *Coaches*, 15.  
**Stamp on Cards.** &c. Vid. *Rivers*, 52, 56.  
**Standard.** Vid. *Measures*, 3.  
**Standard Caton.** Vid. *Poor-house*, 1. *Rivers*, 36. M.  
**Stanton, Thomas.** Vid. *Poor-house*, 1. *Rivers*, 36. C.  
**Stanton, John.** Vid. *Rivers*, 36. C.  
**Staple.** Vid. *Cloth*, 4. *Merchants*, 3. *Recognizance*, 1. &c. *Ships*, 4.  
**Staples-Town.** Vid. *Parish-Churches*, 17.  
**Statutes.** Vid. *English Statutes*, *Execution of Statutes*, 1. *Confirmation per tot' Customs*, 147. *Recognizance*, per tot'.  
**Statute-Merchant.** Vid. *Recognizance*.  
**Statute-Staple.** *Ibid*.  
**Staves.** Vid. *Customs*, 104, 105. *Fish*, 24. *Hedge-breakers*, 3.  
**Stealing.** Vid. *Clergy*, 6, 13, 16. *Servants*, 1, 18, 20.  
**Steeping Flax.** Vid. *Linen Manufacture*, 34, 55.  
**Sterling.** Vid. *Coin*, 6. *Gold*, 5.  
**Stebenson, James, Senior.** Vid. *Poor-house*, 1.  
**Stevens, Doctor.** Vid. *Hospital*, 1.  
**Stewards.** Vid. *Justice of Peace*, 4. *Poor-house*, 4.  
**Stewart, Major-General.** Vid. *Debentures*, 2.  
**Steward, Richard.** Vid. *Poor-house*, 1.  
**Stills.** Vid. *Customs*, 40, 117, 157.  
**Stipend.** Vid. *Spiritual Persons*, 33.  
**Stockings.** Vid. *Drapery*, 21.  
**Stocks.** Vid. *Constables*, 1. *Grand-Jury*, 2. *Pewter*, 4. *Servants*, 6. *Swearing*, 1. *Vagabonds*, 3. &c.  
**Stolen Goods.** Vid. *Felony*, 10, 17, 23, 35, 39, 61, 62. *Restitution*, 1. *Robbery*, 1. *Tories*, 12. *Witchcraft*, 3. *Wreck*, 9.  
**Stone.** Vid. *Coaches*, 11. *Corn*, 12. *Spiritual Persons*, 18. *Wooll*, 4.  
**Stop-Blocks.** Vid. *Fire*, 4.  
**Stopford, James.** Vid. *Rivers*, 36. L.  
**Stoves.** Vid. *Ovens*.  
**Strand.** Vid. *Swine*, 1.  
**Straw.** Vid. *Corn*, 20.  
**Streets of Cities and Towns.** Vid. *Dublin*, from 1. to 21.  
**Strike-Measure.** Vid. *Measure*, 6, 19, 20. *Weights*, 8.  
**Strong Waters.** Vid. *Brandy*, 1. *Aquavite*, *Wine*, 8.

**Stroak.**

**Stroke.** Vid. *Trial*, 2.  
**Stuffs.** Vid. *Cloath*, 4. *Drapery*, 18. *East-India Goods*, 1.  
**Sturdy Beggars.** Vid. *Poor-house*, 15. *Vagabonds*, 22.  
**Surgeon.** Vid. *Wreck*, 2.  
**Sub-Commissioners.** Vid. *Customs*, 48, &c. *Solicitors*, 28.  
**Subjects.** Vid. *Ability*, 2, &c. *Crown*, 1.  
**Subordination.** Vid. *Ireland*, 5.  
**Subornation.** Vid. *Customs*, 66. *Maintenance*, 4. *Perjury*, 15.  
*Small Debts*, 11.  
**Subpoena.** Vid. *Accusation*, 8. *Mortgages*, 5, 7. *Process*, 3.  
**Sub-Sheriff.** Vid. *Fees*, 41. *Office*, *Papists*, 71. *Sheriff*, 8, 11,  
 34, 38, 44, 45, 50, 51.  
**Subsidy.** Vid. *Customs*, 102. *Drapery*, 2, 3, 11, 21.  
**Subtraction.** Vid. *Tythes*, 12.  
**Succession.** Vid. *Crown*, 4, &c.  
**Successors.** Vid. *Glebes*, 8. *Schools*, 19. *Spiritual Persons*, 6.  
**Suck.** Vid. *Rivers*, 28.  
**Sugar.** Vid. *Ireland*, 7, 8. *Ships*, 12, 18.  
**Suggestion.** Vid. *Accusation*, 5, 7, 9. *Covenant*, 2.

### Suits.

1 **T**HIS Statute directs, who shall or shall not do Suit at his Lord's Court. 52 H. 3. c. 9.  
 Vid. *Abatement*, 2. *Age*, per tot' *Attorneys*, 5. *Champerty*, 5. *Ex-* Eng.  
*chequer*, 2, 8. *Indicavit*, 1. *Maintenance*, 4. Marlb.

### Summons.

1 **P**ROCLAMATION of Summons in real Actions shall be made 14 Days before the Return, on a Sunday at the Church-door, or in the Parish Church-yard where no Church. 10 Car. 1. Sess. 3. cap. 12.  
 2 The Proclamation, with the Names of the Summoners to be returned, and no Grand Cape shall be awarded till such Proclamation, but an *als'* & *pluries*.  
 Vid. *Amerciament*, *Civil Bills*, 4. *Customs*, 151. *Days in Bank*, 12.  
*Jurors*, 14. *Papists*, 53, 55. *Servants*, 4, 5. *Solicitors*, 15.  
**Sundays.** Vid. *Holidays*, *Lord's-day*, 1. *Proclamation*, 2. *Summons*,  
 1. *Uniformity*, 3.  
**Sun-fish Oil.** Vid. *Lights*, 13. (*Quer. If not Sean-fish.*)

### Supersedeas.



**Superseas.**

10 & 11 Car.  
1. Sess. 4. c. 10.

**N**O Process of the Peace or good Behaviour shall be granted, but upon motion in Court, and shewing good Cause, and if false to pay Costs (Vid. *Certiorari* where *Bail* must be given.)

Writs to remove Indictments of Riots, forcible Entry, Assault, and other Trespases, void unless granted on Motion in Court and on Sureties.

*Certioraries* to be delivered at the Assizes or Sessions, and before Allowance, the Defendant to become bound to the Prosecutor in 10*l.* to pay Costs and Damages, or on Default, to proceed to Trial.

**Superstitious Uses.** Vid. *forfeited Estates*, 23.

**Supervisors.** Vid. *High-ways*, 4. *Watches*, 13, 23.

**Supreme Head.**

28 H. 8. cap. 5.

**B**Y this Act the King, &c. is declared Supreme Head in Earth, of the Church of Ireland, and has Power to redress, &c. Errors, Heresies, &c. and appoint Visitors.

**Supremacy.** Vid. *Oaths*, 5.

**Sur-Disseisin en le post.** Vid. *Entry*.

**Sure.** Vid. *Shure*.

**Surety.** Vid. *Accusation*, 5. *Education*, 2. *Recognizance*, 15.

**Surplusage.** Vid. *Addition*, 2.

**Surrenders.** Vid. *Assignments*, 1. *Leases*, 18. *Tenure*, 2.

**Surveys.** Vid. *Customs*, 46. *High-ways*, 1, 3.

**Surveyor-General.** Vid. *Poor-house*, 1.

**Survivor.** Vid. *Abatement*, 6.

**Suspected Persons.** Vid. *Papists*, 67. *Watches*, 4.

**Suspension.** Vid. *Uniformity*, 20.

**Suspicion.** Vid. *Felony*, 7, 67.

**Swans.**

22 E. 4. c. 6.  
Eng.

**N**O Person not having Lands, &c. of 5 Marks per Annum, besides Reprizes (except the King's Son) shall have any Swans of his own.

**Swearing.**

7 Gul. 3. Sess.  
1. c. 9.  
Post, 2.

**S**ERVANT, Day-labourer, Soldier, or Seaman swearing, to pay 1*s.* and all others 2*s.* and double and treble the 2*d.* and 3*d.* Offence, to be levied by Warrant from Justice of Peace to the Constable, Church-Wardens, &c. and Persons under 16 Years to be whipt by the Constable, &c. and others to be put in Stocks for an Hour, &c. on default of Payment.

Just-

## Swearing.

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- 2 Justice of Peace neglecting, to forfeit  $\text{5} \text{ l.}$  and may plead the general Issue, and have treble Costs; on executing this Act, Prosecution to be in ten Days, or void.
- 3 This Act to be read in Churches four times a Year; and Offences to be registered in a Book by the Justices, to be certified to the Sessions.

## Swine.

- 1 **N**O Swine, Hogs, or Pigs, to be fed, or put on any Strand where the Sea flows, from the first of March to the last of September, on pain of forfeiting the same to the Crown, and seizing Person. 11 El. Sess. 3.

- 2 Like Process to be had against a Rescuer of such, being presented as on a Rescous for Rent, and to be fined and imprisoned.

Vid. Butcher, 1. Cattle, 1.

**Switches.** Vid. Wood, 7.

**Swords.** Vid. Papists, 5.

**Syrups.** Vid. Ireland, 8.

**T.** Vid. Clergy, 4. Women, 2.

**Tables.** Vid. Gaming, 1.

**Taghloge.** Vid. Parish-Churches, 12.

## Taille.

- 1 **L**ANDS given to a Man, and the Heirs of his Body, or to Husband and Wife, and the Heirs of their 2 Bodies, or in Frank-marriage, on Condition that if they die without Issue, the Lands shou'd revert to the Donor (in all such Cases before this Statute, the Feoffees (after Issue had) had Power to alien and disinherit the Issue) but by this 'tis ordain'd that the Will of the Giver shall be observed according to the Form of the Gift, and the Donees have no Power to alien. 13 E. 1. c. 1.  
Eng. W. 2.

- 2 The second Husband or Wife, or their Issue, shall have nothing in such Lands; and a † Fine levied on them shall be void. (See the Form of the Formedon in Descender in the Statute at large.

Vid. Crown, 2. Glebes, 18. Recoveries, 5.

**Tales.** Vid. Jurors, 12. Nisi prius, 6. Tipperary, 1.

**Tallies.** Vid. Exchequer, 2. Sheriff 2.

**Tallow.** Vid. Butter, 4, 7, 13, 15, 16, 18, 19. Fees, 39.

**Tanners.** Vid. Gray-Merchants, 2. Wood, 3.

**Tare.** Vid. Butter, 3, 4, 7, 8.

**Tar.** Vid. Customs, 16. Ireland, 7. Ships, 12.

R r

Car=

† Vid. Fine, 10.  
Cont.



**Tartaraghan.** Vid. *Parish-Churches*, 12.

**Tasters.** Vid. *Fees*, 17.

**Taverns.** Vid. *Hearth-Money*, 14. *Vintners*.

**Taploz, Sir Thomas.** Vid. *Poor-House*, 1.

**Taploz, Robert.** Vid. *Lights*, 1.

**Taxation.** Vid. *Attorney*, 15, 16.

### Taxes.

*Tempore. E. 1.*  
*c. 1. Eng.*  
*Vid. Poult. 91.*

**N**O Aid or Tax to be levied without the Assent of the Lords and Commons in Parliament.

1. E. 3. St. 2. c.  
6. Eng.

This Statute ordains that People are to be taxed after the ancient Manner.

11 R. 2. c. 9.  
Eng.

No Imposition or Charge to be put upon Wooll, Leather, &c. other than Customs.

1 R. 2. c. 2.  
Eng.

Subjects not to be taxed towards any Charge called a Benevolence, or any such Imposition, and such Charges heretofore not to be deemed a Precedent.

16 & 17 Car.  
1. c. 14. Eng.

By this Act the Proceedings touching the Ship-Money was declared unlawful and void in England.

10 Gul. 3. Sess.  
2. c. 3.

By this Act the Sum of 120000 l. was raised for the King on Lands, Tythes, &c. in Ireland.

Vid. *Nobility*, 1. *Plantation*, 8. *Rome*, 3, 6. *St. Patrick's*, 5.

**Tazels.** Vid. *Drapery*, 10.

**Tea.** Vid. *Customs*, 154. N. B. The additional Duty is continued for two Years, by 5 Geo. 2. c. 1. Coffee, Chocolate, and Cocoa Nuts, (the like for the Use of the Linen-Manufacture.) and are further continued.

**Tempest.** Vid. *Wreck*, 3.

### Templars

17 E. 2. Eng.  
Stat. tenemt.  
templ'

**T**HE King, &c. not to have the Lands of the Templars (which Order was then dissolved) but was given to the Prior and Brethren of St. John of Jerusalem (which Order was then erected.)

Vid. *Citation*, 1.

**Temple-Oge.** Vid. *Dublin*, 22.

**Templetogher.** Vid. *Parish-Churches*, 27.

**Temporalities.** Vid. *Bishops*, 2, 3, 8.

**Temporary Statutes.** Vid. *Continuance*.

### Tenants

11 An. c. 2.

**A**NY Tenant wilfully holding over, after the Determination of his Term, and after Demand and Notice in Writing, for Delivery of the Possession by his Landlord, &c. shall pay double the yearly Value, to the Lessor or Reversioner during his Possession.

The

## Tenants.

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- 2 The Defendant is here held to special Bail, and no Relief against this Recovery in a Court of Equity.

Vid. *Distress*, 15. *Dower*, 3. *Fire*, 1. *Forcible Entry*, 7. *Partition*, 26. *Wood*, 11, 14.

**Tenant pur Auter vie.** Vid. *Rent*, 3.

— **In Common.** Vid. *Joyn-tenants*. *Waste*, 6.

— **By the Courtship.** Vid. *Recoveries*, 5. *Warranty*, 2, 4.

— **In Dower.** Vid. *Waste*, 4.

— **By Eligit.** Vid. *Recoveries*, 3.

— **For Life.** Vid. *Glebes*, 25. *Papists*, 21. *Partition*, 13. *Recoveries*, 5. *Warranty*, 3, 4.

— **For Years.** Vid. *Recoveries*, 1. *Waste*, 4.

— **To the Praecipe.** Vid. *Recoveries*, 6.

**Tennis.** Vid. *Gaming*, 1.

**Center-hooks.** Vid. *Drapery*, 13.

## Tenure.

- 1 IN all Feofments in Fee, the Feoffee shall hold of the chief Lord, by the same Services as the Feofer held.

18 E. 1. Eng.  
quia Emptores  
terr.

- 2 Irish who shall surrender to the Crown their Lands, held by Irish Custom, Patents shall be made out to hold them of the Queen by Services, &c.

11 El. c. 4<sup>1</sup>

Vid. *Court of Wards*, 2, 3.

**Tent-robbers.** Vid. *Felony*, 26.

**Term.** Vid. *Certiorari*, 1. *Tenants*, 1. *Michaelmas and Hilar*.

**Testaments.** Vid. *Wills*.

**Testators.** Vid. *Executors*, 1.

**Testificandum.** Vid. *Civil Bills*, 8.

**Testimony.** Vid. *Perjury*, 1. *Solicitors*, 6.

**Testimonial.** Vid. *Irishmen*, 1. *Vagabonds*, 4, 14.

**Thanksgiving.** Vid. *Anniversary*.

**Thatched house.** Vid. *Spiritual Persons*, 18.

## Thieves.

- 1 BY this Act any Person may † kill or take a known Thief, and may have a Penny per Plow-land, and  $\frac{1}{4}$  q. for every Cottage in the Barony, for a Premium payable by the Sheriff.

28 H. 6. Sess.

1. c. 3. Vid.

† Tories, 6.

Vid. *Bail*, 1. *Sheriff*, 6.

**Thirds.** Vid. *Customs of Ireland*. *Dower*, 1. *Papists*, 49.

**Thomas Court and Donore.** Vid. *Dublin*, 20, 48. *Lights*, 1.

*Watches*, 28.

**Thread.** Vid. *Ships*, 27. *Wood*, 3.

**Three Chief Judges.** Vid. *Poor-house*, 1. *Rivers*, 69.

**Thronization.** Vid. *Bishops*, 8.

R r 2

Ticken.



**Ticken.** Vid. *Linen-Manufacture*, 4.

**Tickets.** Vid. *High-ways*, 56.

**Tide-waiters.** Vid. *Waiters*.

**Tigh, Richard.** Vid. *Poor-house*, 1. *Rivers*, 36. M.

### Tiles.

17 E. 4. c. 4.  
Eng.

**TILE-EARTH** to be cast up in *November*, and not made till *March*.

A Plain and Gutter-Tile to be ten Inches and a half long, six and a quarter broad, a Roof-Tile thirteen Inches; Tiles otherwise fold, to forfeit double the Value to the Buyer.

Justice of Peace to determine the Fault, and fine the Offender, and may appoint a Searcher, and none to sell Tiles till Search be made of them.

### Tillage.

1 Geo. 2. c. 10.

**ALL** Persons having 100 Acres in his Occupation (Bog, Mountain, Rocky, Craggy, Lands, Wood, Meadow and Parks excepted) shall plow 5 Acres thereof, and so in Proportion for a greater Quantity, on pain of 40 s. per Acre unplowed.

The Tenant is discharged of any Covenant to the contrary, but shall not burn the Sod without Consent of the Owner.

Vid. *Rivers*, 67.

**Timber.** Vid. *Butter*, 14. 21. *Custom*, 105. *Masons*, 1. *Servants*, 18. *Ships*, 12.

**Tinn.** Vid. *Gold*, 8.

**Tippling-houses.** Vid. *Ale-house*.

### Tipperary.

7 Gul. 3. cap.  
19.

**THIS** Act was made for granting a *Tales* in the *Palatinat-Court of Tipperary*.

7 Gul. 3. c. 20.

And this Act was for establishing *Fines* levied therein.

But that Court is now taken away. Vid. *Forfeiture*, 6, &c. *Judicial Proceedings*, 4, &c.

**Tithes.** Vid. *Tithes*.

**Titles.** Vid. *Execution*, 3. *Limitation*, 20, 21. *Maintenance*, 3. *Treason*, 14.

### Tobacco.

12 Car. 2.  
c. 34. Eng.  
Post, 4.

**NONE** shall plant it in *England, Ireland, &c.* on pain of 40 s. for every Rood of Ground.

## Tobacco.

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- 2 All Sheriffs, Justices of Peace, &c. to cause the same to be burnt, &c. resisting them is 5*l.* Penalty, to be levied by Distress, &c.
- 3 A Saving for Physick-gardens, not exceeding half a Pole.
- 4 By this Act there is a Penalty of  $\dagger$  10*l.* per Rod imposed, besides the former, and the Offender, to enter into a Recognizance of 10*l.* not to commit the Offence again. 15 Car. 2. c. 7. Eng.  $\dagger$  Ante, 1.
- 5 No Drawback to be allowed, &c. for Tobacco exported to Ireland, till a Certificate be produced from the Collector of the Customs there, of landing it, for which his Fee is 1*s.* 8 An. c. 13. Sect. 19. Eng.
- 6 Tobacco entered out for foreign Parts, exported and landed in Ireland, forfeited. 6 Geo. 1. c. 21. Sect. 49. Eng.
- 7 An Allowance of 2 per Cent, shall be made for Tobacco exported from Great-Britain to Ireland, for Waste in the Voyage. Ibid. Sect. 48.
- 8 Ireland shall be added to the Oath to be taken by Exporters of Tobacco. Ibid. Sect. 50

Vid. Customs, 17, 121, 122, 154, 158. Drawback, 1. Fees, 15.  
Ireland, 7. Isle-man, 1. Ships, 18.

## Tobacco-pipe-Clay.

- 1 NONE of this Clay shall be exported out of England or Ireland, &c. to foreign Parts, on pain of 3*s.* per Pound thereof. 13 & 14 Car. 2. c. 18. Eng.
- 2 By this Act, all Masters, Owners and Mariners, discovering any of said Clay or Fullers-Earth, Wooll, Sheep-Fells, &c. in three Months, shall not be subject to the Penalties in the  $\dagger$  Acts. This is made perpetual by 9 Gul. 3. c. 40. Eng. 1 Gul. & M. Sess. 1. c. 32. Sect. 8. Eng.  $\dagger$  Vid. Sheep, 4.

**Toghers.** Vid. Bridges, 1.

**Tokeen.** Vid. Parish-Churches, 5.

## Toll.

- 1 FOR excessive Toll in a Market, the Franchises shall be seized, but if taken by a Bailiff or Officer, he shall restore as much to the Plaintiff, and 40 Days Imprisonment. 3 E. 1. c. 34. Eng. W. 1.
- 2 Grant of a Murrage made void for the like Cause.
- 3 Toll at a Mill shall be taken by Custom, or by the Strength of the Water-Course, the 20th or 24th Corn, to be taken by the Rase, and not by the Heap. Incerti temporis, 18. E. 2. c. 4. Eng. poul. 110.
- 4 No Toll shall be taken for Cattle driving through a City, &c. where the same are not sold or slaughter'd, &c. nor in any Fair or Market, but shall pay in respect of Repairs of Bridges, being kept at the Cost of one Person. 2 An. Sess. 2. c. 8.
- 5 Offenders to forfeit 10*s.* the first, and 5*l.* every other Offence, to the Poor and Party, before a Justice of Peace, in six Days after, by Distress, &c.
- 6 Justices neglecting, to forfeit 20*l.* to the King and Party, by Bill, &c. and persons refusing to pay just Toll, to forfeit in like manner.

This



**Toll.**

This Act is made perpetual, by 6 Ann. c. 12.

Vid. *Affize*, 5. *Fairs*, 5. *Hemp*, 2, 4. *High-ways*, 44, &c. 7  
*Linen-manufacture*, 7, 12. *Rivers*, 68.

**Toll-free.** Vid. *High-ways*, 57, 59. *Linen-manufacture*, 7, 12.

**Tongues.** Vid. *Felony*, 4.

**Tools.** Vid. *Coin*, 14, 15. *High-ways*, 3, 16. *Servants*, 18.

**Tories.**

7 Gul. 3. sess. 1.

6. 21.

3. 21. 22.

8. 21. 22.

8. 21. 22.

**T**HE County to make full Satisfaction for all Robberies, Burglaries, Burnings, killing or maiming Cattle, which shall be done by Robbers, Rapparees or Tories (and being Papists) to be applotted upon Papists (*et e contra*) on Protestants (if both) on both in Proportion.

Damages not exceeding 10 *l.* shall be made good by the Barony only, and not by the County, the Jury trying the Cause shall ascertain whether Protestants or Papists.

† Vid. *post*, 16.

None to recover Damages for Robbery, unless † Notice be given in 24 Hours after, or in reasonable time to any Inhabitant, and to give Examination in 4 Days to a Justice of Peace, and if he knows them to be bound to prosecute.

*Post*, 8, 20.

Before any Action shall be commenced, a Presentment shall be procured at the next Assizes, wherein the Particulars of the Losses and Number, Names and Religion of the Offenders to be inserted, or the best Description to be given of unknown Persons, which Presentment shall be Evidence on any Trial.

*Post*, 16.

Persons presented as Tories, being returned to the Clerk of the Council, shall be proclaimed, and if they surrender not in the Time, to be convict of High-treason, and Aiders, Abettors, &c. Felons.

† Vid. *Thieves*,

1.

*Post*, 25.

By this Act there is a Reward of 20 *l.* to be given by the Grand-jury for taking or † killing proclaimed Tories. *This Act is in Force till the 25th of December, 1737. by 12 Geo. 1. c. 6.*

9 Gul. 3. sess. 1.

6. 34.

3. 21. 22.

8. 21. 22.

8. 21. 22.

Sums, not exceeding 20 *l.* for a Person murther'd, payable to 7 his Representative, and 10 *l.* for a Person maimed by Robbers, &c. to be paid by the Grand-jury, to the Parties; where the Offenders, or the major Part of them are not killed or apprehended, to be levied as *ante*, 1.

*An'e*, 4.

*Post*, 20.

Parties to pursue their Remedy for Robbery by Petition to the Judge of Assize, setting forth the Time, Place, Goods, Injury, &c. and by what Persons, and what Religion, describing the Persons and the Party, &c. to be examined before the Judge and Grand-jury

Presentments above 5 *l.* may be traversed, and the Defendant, if 9 cast, to pay 20 *s.* Costs, and to be † final after.

Notice

- 10 Notice of proceeding must be given to the High-constable of the Barony 8 Days before the Assizes, and against what Inhabitants, that they may traverse.
- 11 Such Presentment not to be removed by *Certiorari*, nor quashed for want of Form or any Invalidity.
- 12 The Property of Goods robbed, for which such Satisfaction is made, shall be in said Inhabitants, and they may sue for the same when discovered, and shall be sold and distributed, to be directed by the Justices of Assize or Peace.
- 13 No Action shall be brought for Damages, for which Remedy is given by these Statutes, during the Continuance of them.  
(N. B. i. e. No other than the Remedy here given.)
- 14 The printed Proclamation attested by the Clerk of the Council against Tories presented, shall be good Evidence.
- 15 This Act is to continue in Force till the 25th of December, 1737, by 12 Geo. 1. c. 6.
- 16 Persons robbed shall give Notice to a Justice of Peace, and the High-constables in 5 Days, who are forthwith to proclaim the same in the Market-towns of the Barony, *ante*, 3. (Quer. If this is necessary in Case of Burning, &c.) 6 An. c. 11.
- 17 Persons grieved by wrong Appotment may appeal to the next Judge of Assize, who shall determine the same, and award Costs to be recovered, as on civil Bill.
- 18 Conveyance of Goods to evade Payment of his Proportion, to be deemed fraudulent, and the Justice of Peace may commit the Party till he pays, &c.
- 19 Harbourers of Tories to be pardoned in like Manner, as in Tit. (Felony, 18.)
- 20 All Presentments shall be at the next Assizes only, unless so near *Ante*, 3, 16. that Notice can't be given.
- 21 This Act is in Force till the 25th of December, 1737; by 12 Geo. 1. c. 6.
- 22 Robbers or Burglars, before apprehended, discovering one or more, such being out at large, or shall take or kill any such, being proclaimed, &c. shall have the King's Pardon for Robbery, &c. and be a Bar to an Appeal. (Vid. Felony, 22.) This much of this Act is in Force till the 25th of December, 1737, by 12 Geo. 1. c. 6. 4 Geo. 1. c. 9.
- 23 In Robbery Presentments, the Name of some Person, against whom Execution shall issue, shall be inserted by the Grand-jury. 6 Geo. 1. c. 12.  
(See the Quer. in 16 *ante*, here.)
- 24 The Money to be applotted by the High-constables, on Possessions of Inhabitants, and others not inhabiting, and to be laid before the Justices in next Sessions; and Execution to issue in 40 Days after their Approbation, against the Person so named.

Grand-



**Tories.**

Grand-jury may raise 20 l. Reward for apprehending a proclaimed Tory, whether in the same County or not.

An Examination shall be made before a Tory, &c. shall be presented, and to be lodged with the Clerk of the Peace, and a Copy to be certified with the Presentment to the chief Governor, &c.

**Tories Quoties.** Vid. *Covenant*, 5.

**Tough.** Vid. *Rivers*, 63, 64.

**Towns.**

17 &amp; 18 Car.

2. Sess. 5. cap. 2.

THE Lord Lieutenant and Council may direct new *English* Names to be given to any Town, &c. in passing Patent for the same.

Vid. *Addition*, 4. *Approvement*, 2. *Bridges*, 1. *Butchers*, 2. *Dublin*,

21. *Escape*, 2.

**Town-Bargains.** Vid. *Customs*, 95.

**Town-Clerks.** Vid. *Vagabonds*, 16.

**Trade.**

5 Geo. 2. c. 23.

THIS Act was made for the Relief of the Creditors of *James Meade* and *George Curtis*, Bankers; and tho' mentioned to be a publick Act as to Courts, &c. yet as to all other Persons not concerned, being in its Nature a private Act, is here omitted.

7 Geo. 2. c. 26.

This Act was also made for the Relief of the Creditors of the Bank lately kept by *Samuel Burton* and *Daniel Falkiner*, and the other Bankers therein named, and is for the above Reasons here omitted.

Vid. *Aliens*, 7. *Bankers*, *Bills of Exchange*, *Promissory Notes*, per tot.

*Customs*, 98. *Ships*, 25.

**Tradesmen.** Vid. *Artificers*, 1, &c. *Game*, 17. *Register*, 22. *Servants*, 18.

**Traitors.**

10 H. 7. c. 3.

PERSONS maintaining, &c. Rebels against the King declared Traitors.

10 H. 7. c. 13.

Persons stirring up the Irish, &c. against the King's Lieutenant, declared Traitors.

28 H. 8. c. 9.

The Estate of Sir *Walter Delahide* for abetting his Son in the Confederacy with the Earl of *Kildare*, was forfeited to the Crown, and the Grants of all the Traitors Lands are confirmed to the Patentees.

The Estates of *Baron Keating* and *Baron Nevil*, and of several other Traitors (*which see in Tit. Attainder.*) from 1 to 9, were by the several Statutes there mentioned forfeited to, and vested in the Crown, with a Saving to any *Chest-q; Use* for whom they were seized.

And

## Traitors.

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And this Act was made for avoiding fraudulent Conveyances made by the said Traitors. 28. El. Sess. 2. c. 5.

Vid. *Attainder*, 12. *Kerns*, 2. *Traverses*, 1.

**Transfers.** Vid. *Small Debts*, 3, 8.

**Transfire.** Vid. *Customs*, 31.

**Transportation.** Vid. *Bigamy*, 2. *Customs*, 128, 135, 160. *Felony*, 12, 30, 31, 32, 34, 36, 48, 49, 53, 54, 59, 60, 61, 62, 65. *Forgery*, 8. *Marriages*, 10. *Papists*, 10, 60, 61. *Perjury*, 5. *Schools*, 12. *Vagabonds*, 20.

**Travellers.** Vid. *Ale-House*, 3. *Lord's-day*, 3.

## Traverses.

**L**essees, &c. to hold and enjoy their Interests tho' their Titles are, or may be omitted, and not found in Offices, &c. found of the Lands, &c. of Traitors and Felons for the King, as if no Office, &c. was found. 10 Gul. 3. Sess. 2. c. 10.

And where any Office, &c. of the Lands of Felons, &c. shall be untruly found, any other Person aggrieved may have his Traverse, or *Monstrans de droit*, without being driven to a Petition of Right, and have Restitution.

The Party shall sue on a *Scir' Fac'* and the King's Grantee, &c. Defendant shall have the usual Advantage, and Pleas, and Writs of Search, shall be granted, and the King to have the Benefit of any other former Title.

Vid. *Jeoffails*, 9. *Outlawries*, 5. *Tories*, 9.

## Treason.

**T**O compass or imagine the Death of the King, Queen, or Prince, or to violate the Queen, the Princess Royal unmarried, or the Prince's Wife, to levy War against the King, adhere to his Enemies, to † counterfeit the King's Seal, or Money, or bring counterfeit Money into the Realm, &c. or to kill the Chancellor, Treasurer, or any Justice assigned to hear and determine, being doing their Offices, declared High-Treason. 25 E. 3. c. 2. Eng. † Vid. Coin, 16.

A Servant killing his Master, a Wife her Husband, a Priest his Prelate, is † Petty-Treason. † But see Murder, 4. where is High-treason in Ireland.

Treason shall not be adjudged otherwise than as it was ordained by the above Stat. of 25 E. 3. c. 2. 1 H. 4. c. 10. Eng.

Rebelliously detaining any of the King's Fortresses, &c. or any Ships, Artillery, Ordnance, Ammunitions, or Fortifications, is Treason. 28 H. 8. c. 7.

Offenders in High-Treason to have no Privilege of Sanctuary.

Treason committed abroad, may be tried in any County of the Realm, by the King's Commission.

Outlawries for Treason against Persons out of the Realm, to be as effectual as if they were resident in the Realm.

S f

Offenders



**Treason.**

Offenders in High-Treason, shall forfeit to the King, all Lands 8  
of Inheritance, in Use or Possession, by any Title at the time of  
the Treason or after; a Saving for the Right of others.

This last was an *English* Act of the 26 H. 8. and re-enacted here 9  
*verbatim* by the above.

11 El. Sess. 3. Shane O Neil attainted of Treason, and his Estate forfeited, and 10  
c. 1. the Name of O Neil utterly abolished, and shall be High-  
Treason to assume that Name in *Ulster*.

Several Countries named in this Statute given to the Queen, &c. 11  
with a Saving for the Right of those of *English* Blood therein.

9 Gul. 3. Sess. 3. Subjects gone to *France* after December 1688, without Licence, 12  
c. 1. Eng. or being in that, or King James's Service abroad, returning to  
*England* without Licence, are guilty of High-Treason, (*relating*  
*their Children*, See *Ability*, 10.)

Subjects aiding the late King James by Money, or correspond- 13  
ing with him, declared guilty of High-Treason.

Persons accepting a Pardon or Title of Honour from the late 14  
King James, after the 6th January 1697, and Persons accepting the  
same before, and not surrendering it before the 13th February 1697,  
guilty of High-Treason.

2 An. Sess. 1. To deprive or hinder the Succession of the Crown, as 'tis li- 15  
c. 5. mited by Acts of Parliament (*which see in Tit. Crown*, 9, 10.) by  
any Deed or overt Act, shall be adjudged High-Treason.

Natives guilty of this beyond Sea, or on Sea, to be tried in any 16  
County by Commission.

Vid. *Ability*, 10. *Accusation*, 9. *Appeal*, 8. *Attainder*, 12, 13.

*Challenge*, 5. *Coin*, 8, 14, 15, 16. *Commission*, 4. *Comrick*, 1.

*Corn*, 4. *Crown*, 3. *Forfeiture*, 2. *King*, 3. *Murder*, 4. *Outlaw-*  
*ries*, 2, 7. *Papists*, 10. *Rome*, 20. *Tories*, 5.

**Treasure found.** Vid. *Coroners*, 3.

**Treasurer.**

10 H. 7. c. 1. Treasurer of *Ireland* shall have as ample Power as the Treasurer 1  
† Vid. *Customs*, of *England*, as to make Customers and all other † Officers.

46.

All Acts concerning the Election or making of Sheriffs, Eschea- 2  
tors, &c. or Accomptants contrary to this Act, made void.

The Treasurer to account yearly before the Barons of the *Exche-* 3  
*quer*, &c. and the Sum to be transmitted to the Barons of the *Ex-*  
*chequer* in *England*, to be finished and determined.

2 An. Sess. 1. c. 4. Not to extend to prejudice the Privilege of Cities or Towns. 4

By this Act the 6 d. per Pound Fees due to the Treasurer out of 5  
the Aid raised for the Crown, was laid out in building the Barracks.

2 Geo. 1. c. 3. The same was by this Act applied for building the Castle of 6  
*Dublin*.

Vid.

## Treasurer.

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Vid. *Barracks*, 3. *Drapery*, 7, 8. *Error*, 2, 3. *Escheators*, 1. *Justice of Assize*, 6. *Exchequer*, 1, *Officers*, 1, 7. *Ormond*, 2. *Treason*, 1. *Vice-Treasurer*.

**Treasurer of Counties.** Vid. *Grand-juries*, 7, 8, 9, 13, 15. *Highways*, 32, 33, 38. *House of Correction*, 2.

**Treble Damages.** Vid. *Accounts*, 3. *Ballast*, 10. *Chyrographer*, 1. *Distress*, 11, 17. *Drapery*, 9. *Forest*, 2. *Market*, 6. *Pound-Breach*, 1. *Provisors*, 8. *Register*, 8. *Remembrancer*, 1. *Sheriff*, 14, 23, 28, 48, 49. *Waste*, 4. *Wooll*, 25.

**Treble Value.** Vid. *Customs*, 120, 125. *Debt to the King*, 3. *Disceit*, 2. *Extortion*, 2. *Forfeited Estates*, 6. *Gaming*, 1, 2. *Ireland*, 10. *Papists*, 7. *Servants*, 19. *Ships*, 29. *Usury*, 5. *Wood*, 4. *Wreck*, 9.

**Trees.** Vid. *Barkers of Church-Yard*, 1. *Hedge-breakers*, 6. *Wood per tot.*

## Trespas.

<sup>1</sup> **N** One to have Writs of Trespas before Justices, unless he swear 6 E. 1. c. 8. that the Goods taken were worth 40 s. Sheriffs to plead Eng. Pleas of Trespas in their Counties as usual.

<sup>2</sup> Every Man shall answer for the Trespas or Offence of his Son, 35 H. 6. c. 2. save the Punishment of Death.

<sup>3</sup> In all Actions of Trespas where it shall be certified by the 9 Gul. 3. Sess. 1. Judge that the Trespas was wilful and malicious, the Plaintiff shall c. 15. recover Damages and full Costs, to be taxed by the direction of the Court.

Vid. *Accusation*, 9. *Attaint*, 3. *Attornies*, 2. *Civil-Bills*, 1. *Costs*, 8. *Court of Wards*, 8. *Disclaimer*, 1. *Error*, 10. *Extortion*, 3. *Fish*, 10. 21. *Forgery*, 2. *Partition*, 11. *Soldiers*, 4. *Supersedeas*, 2. *Uses*, 8.

## Trial.

<sup>1</sup> **T** Trial of Dutches, Countess and Baroness for Treason or Felony 20 H. 6. c. 9. shall be by Peers, as in the case of Noblemen. Eng.

<sup>2</sup> Where a Person is stricken, poisoned or bewitched in one County, 10 car. 1. Sess. or out of the Realm, and die thereof in another County or out 2. cap. 19. of the Realm, the Offender may be tried in the County where the Death happened, or where the Stroke, &c. was, when the Party dies out of the Realm.

<sup>3</sup> And the Justices have the same Power and the like Remedy for Appeal, and the Accessories liable as if the Death and the Cause thereof happened in the same County.

<sup>4</sup> And Accessories to Murder or Felony in a foreign County, or out of the Realm, liable as aforesaid.

<sup>5</sup> The Clerk of the Crown, &c. in the County where the Principal was convicted, &c. shall certify the same on request to the Jus-



**Trial.**

tices, trying the Accessory in the foreign County, who may proceed as in other cases, (*see the Statute at large.*)

3 Geo. 2. c. 15. The King's-Bench and the Area thereto belonging, is enacted to be both in the City and County of *Dublin*, for Trial of Criminals in Vacation time by Commissioners of Oyer and Terminer, and Newgate, made the Goal of both Counties, and all Sheriffs, Coroners, Juries, &c. to attend there on the Executing said Commissions as if in any other part of the said Counties; and all Precepts, Rules, &c. to be observed as such.

Vid. *Accusation*, 1. *Actions popular*, 4, 5. *Ale-House*, 6. *Aliens*, 4. *Appeal*, 8. *Attainder*, 13. *Bastard*, 2. *Bigamy*, 1. *Captains*, 4. *Certiorari*, 1. *Challenge*, 5, 6. *Cloth*, 7. *Custom*, 55, 114, 149. *Education*, 4. *False Judgment*, 2. *Felony*, 37. *Isle-man*, 4. *Linen-manufacture*, 13. *Nisi prius*, 5, 6. *Officers*, 9. *Painfort and Dure*, 1. *Papists*, 19, 59. *Piracy*, 1. *Rome*, 21, 23. *Treason*, 6, 16. *Wooll*, 34.

**Tributes.**

28 H. 8. c. 11. ALL Subjects and Towns, &c. discharged of Tributes and Exactions imposed by the *Irish*.

**Crim.** Vid. *Galtrim*, 1. **Trinity.** Vid. *Religion*, 8. *Term days*, in *Bank*, 5.

**Trotter, Thomas.** Vid. *Rivers*, 36, *L.*

**Trover.** Vid. *Civil Bills*, 1. *Error*, 10.

**Trucks.** Vid. *Barter*,

**Trustees.** Vid. *Ability*, 7, 8, 11. *Barracks*, 1. *Chancery*, 3, 5. *First-fruits*, 16, 18. *Forfeited Estates*, 1. &c. *Glebes*, 13, 18. *Highways*, 42. *Linen-manufacture*, 14, 72. *Papists*, 58. *Parliament*, 28, 49. *Poor*, 6, 7. *Women*, 4.

**Trusts.**

7 Sub 3. Sess. 1.  
cap. 12,

ALL Declarations or Creations of Trusts of Lands, &c. shall be manifested, &c. by some Writing or last Will (save Trusts created, or to be transferred by Implication or Construction of Law.

Grants, &c. and Assignments of Trusts shall be in Writing signed by the Party.

Every Sheriff may deliver Lands, &c. in trust in Execution as if in the Possession of the *Cestui que Trust*, and a Trust in Fee shall be Affected by Descent, but the Heir shall not be chargeable on his own Estate, by reason of confessing the Action, &c.

6 An. cap. 10. Declarations of Uses and Trusts of Fines and Recoveries by any Deed, made by the Parties, shall be as Effectual as if the above Statute had not been made.

Vid.

Vid. Appropriations, 2. Duncannon-fort, 1. Glebes, 18. Pious-uses, 1 Uses, 3.

**Tuam, Bishop.** Vid. Quarter Parts, 1.

**Tubber.** Vid. High-ways, 80.

**Tucking Mills.** Vid. Dublin, 26, 32.

**Tuition and Tutors.** Vid. Wills, 6.

**Tullomaggmagh.** Vid. Parish-Churches, 17.

**Tumbrells.** Vid. Brewers, 1. Rillory.

**Tunnage.** Vid. Custom, 75, 103.

**Tung.** Vid. Custom, 36. Corn, 12.

**Turkey.** Vid. Ships, 12.

**Turlogh.** Vid. Parish-churches, 6.

**Turn.** Vid. County Courts, 1, 2. Favours and Leet, Sheriff, 16. 39.

**Turn-pikes.** Vid. High-ways, 43. &c.

**Turpentine.** Vid. Ireland, 7.

**Twentieth part.**

**1** BY this Act the 20th part of all Revenues and Profits, called <sup>28 H. 8. c. 14.</sup> Spiritual and Temporal, of all Spiritual Livings yearly were granted to the King in Fee, and a Deprivation for Non-payment, but the Deprivation was by 15. car. 1. c. 12. taken away, and treble Value *nomine pene* laid on.

**2** But the said 20th part being by Patent of Queen Ann, the 10th <sup>2 Geo. 1. cap.</sup> of her Reign, released to the Clergy for ever, the said Patent is by this Act confirmed, (Vid. First-Fruits, 11, 15.)

**Tynan.** Vid. Parish-churches, 10.

**Tynce, James.** Vid. Poor-house, 1. Rivers, 36. M.

**Tyrone Lord.** Vid. Rivers, 36. M.

**Tythes.**

**1** NO Scir' fac' shall be awarded to warn a Clerk to answer for his <sup>18 E. 3. 7. Eng. pro clero.</sup> Tythes before a secular Judge.

**2** In Action for Goods carried away, the Defendant makes Title for Tythes, the Plaintiff must shew specially that they were his lay Chatties, and the general Averment shall not be taken. <sup>1 R. 2. c. 14. Eng.</sup>

**3** Farmers of Aliens to pay Tythes though the Lands be seized in the King's Hands. <sup>5 H. 4. c. 11. Eng.</sup>

**4** All Persons shall pay Tythes, &c. according to the Custom and Usage of the Parish. <sup>33. H. 8. Sess. 1. c. 12.</sup>

**4** The Ordinnay, &c. hath power to hear and determine all Suits for Tythes, and convene the Parties according to the Ecclesiastical Laws. <sup>Post, 10.</sup>

**5** On an Appeal from the Ordinary, he may compel the Appellant to pay costs, taking Security of the other Party to restore, if the Appeal go against him.

Two



Two Justices of Peace may, on Complaint, commit to Goal the Defendant, after Sentence, refusing to pay the Tythes, without Bail, till he complies. 7

None compellable to pay Tythes for Lands, discharged of Tythes. 8

*Quer. If Spiritual Persons may have this Remedy.*

All Persons, &c. having any Inheritance, Term, Right, &c. in any Parsonage, Tythes, &c. being made temporal, and being disseised or ousted, may have the same Remedy for Recovery in Temporal Courts, by *Precipe*, *Affize*, *Quod ei deforceat*, *Dower*, &c. as for Lands, &c. 9

And Writs for Fines and other Assurances may be awarded, had and levied for Tythes, &c. as for Lands, &c. but the Remedy for Tythes payable, to be in the Spiritual, and not in the Temporal Courts. 10

1 Geo. 2. c. 12. Tythes not exceeding 40 s. per ann. to be paid according to the Custom, &c. of the Parish. 11

† Post, 22. On Complaint, in Writing, to † 2 Justices of Peace (having 100 l. per ann. Free-hold Lands in the Kingdom, resident in the County, not being Patrons, nor interested in the Tythes, and not being in Holy Orders) against the Party failing to subtract or pay the said Tythes in 20 Days Demand, they may proceed to hear and determine the same in a Summary Way, by giving 4 Days Notice, and may give 10 s. Costs, and administer Oaths. 12

† Post, 20. On Neglect of Payment, on 10 Days Notice, of the Sum awarded, the Constable or Church-wardens may, by Warrant, distrain for the same, and sell the\* Distress in 3 Days. 13

No Complaint on this Act after 2 Years; and Appeal lies to the Sessions: No *Certiorari* grantable on this, unless the Title of the Tythes come in question. 14

The Defendant, insisting on a *Modus* or Title, to be discharged, delivering the same, subscribed by him, to the Justices; and giving Security to pay Costs and Damages, the Justices shall stop proceeding; and Plaintiff may proceed in any other Court. 15

A Judgment herein may be inrolled in the Sessions, and be a Bar against any other Remedy for the same. 16

Defendant leaving the County after Judgment, and before Payment, the same may be executed by any Justice of that County, on Certificate from the former. 17

Persons sued for executing this Act to have double Costs; and none to have Remedy by this Act, that takes any in the Spiritual Court or *Exchequer*. 18

Post, 21.

This Act is continued in Force for 2 Years, &c. by 5 Geo. 2. c. 6. further continued to the 25th March, 1740. by 7 Geo. 2. c. 7. 19

5 Geo. 2. c. 6.

This Act provides, That the said Distress (*ante*, 13.) shall be of the nearest thing to the Value of the Sum awarded; and the Sale to be on Oath of sworn Appraisers, nominated by the Justices. 20

Persons

- 21 Persons having Judgment on this Act, shall not sue in any Eccle- *Ante*, 18.  
siastical Court or *Exchequer*.
- 22 One Justice of Peace may determine the Payment of Tythes,  
where the Value exceeds not 5 s.
- 23 The Parish-clerk may, by Complaint in Writing, recover the 7 *Geo. 2. c. 7*  
Dues payable to him, by Law, from the Parishioners, in the same  
manner, and with Liberty of Appeal, as *ante*, from 11 to 18.  
Vid. *Advowson*, 4. *Appropriations*, 2. *Costs* 6. *Fees*, 12. *Glebes*,  
15, 16. *Hemp*, 2. *Leases*, 7, 14, 15. *Limitation*, 9. *Partition*,  
27. *Prohibition* 3, 5. *Provisors*, 6. *Religious Houses*, 11.

**Tything-man.** Vid. *Constables*.

**Vacation.** Vid. *Certiorari*, 3.

**Vacation of Bishopricks.**

- 1 BY this Act the Patrons of Abbies were to have the Custody of 9 *H. 3. c. 33*  
them in Time of Vacation. *Eng. M. Ch.*
- 2 By this Act Escheators were to preserve the Possessions of Bishop- 14 *E. 3. c. 4*  
ricks during their Vacation, and to answer the Profits of them to *Eng. pro clero*  
the King, and the Chancellor to demise them to the Dean and  
Chapter.  
Vid. *Bishops*, 5.

**Vagabonds.**

- 1 BY this Act the Stat. 22 *H. 8. c. 12*. (*Eng. tho' repealed in Eng-* 33 *H. 8. sess. 1.*  
*land*) is re-enacted here, and sets forth as followeth: *c. 15.*
- 2 Justices of Peace, Mayors, &c. to search after Beggars, in their † *Post*, 12.  
Limits; and may † licence impotent Beggars to beg within a cer-  
tain Limit; and the Names of such to be returned in a Roll to  
the Sessions. (*See the Form of the Licence in the Stat. at large.*)
- 3 A † Seal to be made for every Limit, and the Licence to be † *Post*. 13, 15.  
sealed therewith; and if taken without their Limits, to be put in  
Stocks, &c.
- 4 Impotent Persons begging without such Licence, to be whipt,  
by Order of the Justice of Peace or High Constable; and then to  
have a Testimonial. (*Which see in the Stat. at large.*)
- 5 Persons, able to labour, taken begging, to be † whipt at a Cart, † *Post*, 17.  
through the next Market-town, &c. by Order of the Justice of  
Peace, Mayor, &c. or High Constable; and then to be sent, with  
a Letter of his being whipt, to the last Place of Abode, &c.
- 6 And if an idle Person, and no common Beggar, to be put in  
Stocks till he find Surety to go to Service; or be sent to Labour,  
at the Discretion of the Justices, &c.

The



**Vagabonds.**

The Justices of Peace to enquire of the Negligence of Mayors, 7  
 Bailiffs, Constables, &c. and the Constable, &c. neglecting to ap-  
 prehend Beggars, to forfeit 3 s. 4 d. for Impotent, and 6 s. 8 d. for  
 strong Beggars, to the King and Informer, at the Sessions, to be  
 levied by Distress, &c.

All Justices of Peace have Power to hear and determine the same. 8  
 A Presentment hereon may be traversed. (*See the Proceedings therein  
 in the Stat. at large.*)

Begging Scholars, Shipmen losing at Sea, Persons going about 9  
 pretending Knowledge in Physick, Palmistry, Fortune-tellers, &c.  
 shall be whipt, on Examination before 2 Justices of Peace (*quorum  
 unus*) for 2 Days, and the third Offence is Pillory and Crapping.

This Act to be read yearly in Sessions: Persons harbouring able 10  
 Beggars to be fined, and to disturb the Execution of this Act, or  
 commit Rescues, to forfeit 5 l. in the King's Courts by Debt, no  
 Effoin, &c.

The Forfeitures to go to Corporations when committed there. 11  
 See the Form of subscribing the Testimonial or Licence in the 12  
 Stat. at large.

Goalers, &c. to have a Goal, with the Name of the Prison, Castle, 13  
 &c. thereon, and shall license Persons delivered for Felony, &c. to  
 beg for six Weeks to carry them home, if he can't get Work, &c.

The Clerk of the Peace or Mayor, &c. shall sign a Testimonial to 14  
 such (*which see in the Stat. at large.*)

The Sheriff, where there is no Goal, to keep a Seal, with the Name 15  
 of the Shire, to license Persons delivered.

Clerks of the Peace and Town-Clerk to make out such Testimonials 16  
 for Persons delivered without Fee, on pain of 12 d. each Default.

The Goaler or Sheriff not to suffer such Persons to go out of Goal 17  
 to beg for their Fees without such Testimonial, and the Prisoner going  
 without it, to be whipt, *as (ante, 15.)*

Masters, &c. of Hospitals, &c. may lodge, &c. Persons for Cha- 18  
 rity, notwithstanding this Act.

39 El. c. 4. Eng. 'Tis prohibited, by this Act, to transport Rogues or Vagabonds out 19  
 Post, 21. of Ireland, on pain of 20 s. to the Poor where he lands.

6 An. c. 11. Idle Persons, Vagrants, pretending to be Irish Gentlemen, wander- 20  
 ing about, and cohering, and Persons of infamous Lives, &c. shall, on  
 Presentment at Assizes or Sessions, by Warrant from either, be trans-  
 ported, or sent on board the Fleet.

12 An. Sess. 2. Masters of Ships bound for Ireland, when required by Warrant of 21  
 c. 23. Sess. 26. Justice of Peace, shall take Vagrants from Ireland on board, and con-  
 Eng. vey them thither, on Penalty.

The

22 The Lord-Mayor, 2 Aldermen, and 1 Sheriff of *Dublin*, and the Seneschals of *Thomas-Court* and *Donore* may make Orders and By-laws (to be posted on the Church Door 10 Days before Execution) to be observed by the Beadles for clearing the City of sturdy Beggars; Penalty on Beadle offending not to exceed 10 s.

Vid. *Cosherers*, 1. *House of Correction*, 3.

10 Geo. 1. c. 3. *Quer. Of this since the Corporation of the Work-house is established.*

Vid. *Poor-house*, 15.

**Vagrants.** Vid. *Vagabonds*, 20, 21.

**Valuation.** Vid. *Barracks*, 3. *Customs*, 97, 142. *Dublin*, 33, 34. *Ministers*, 1. *Poor-house*, 11, 19. *Spiritual Persons*, 6, 16, 18, 20, 23. *Union*, 2.

**Value of Marriage.** Vid. *Court of Wards*, 5.

**Variance.** Vid. *Amendment*, 3. *Costs*, 7. *Discontinuance*, 1. *Error*, 11. *Jeofails*, 3.

**Venire facias.** Vid. *Covenant*, 2. *Error*, 9. *Jeofails*, 3. *Jurors*, 11, 10. *Process*, 2.

**Venison.** Vid. *Forest*, 5. *Felony*, 67. *Game*, 14.

**Venue.** Vid. *Attaint*, 8. *Jeofails*, 3.

**Ventre la mere.** Vid. *Wills*, 6.

**Verdict.** Vid. *Costs*, 1. *Error*, 4, 8. *Jeofails*, 3. *Wooll*, 8.

**Verge.** Vid. *Court of King's Marshal*.

**Vernon, John.** Vid. *Settlement*, 6.

**Vessels.** Vid. *Coin*, 6. *Customs*, 21, 79, 111. *East-India*, 1. *Fish*, 8.

**Vesep, Agmond.** Vid. *Poor-house*, 1. *Rivers*, 36, C.

**Vesep, William.**

**Vesep, Sir Thomas.** } Vid. *Rivers*, 36, C.

**Vestries.** Vid. *High-ways*, 22. *Parish-churches*, 39, 54, 55, 62. *Poor-house*, 25. *Watches*, 13, 15. *Wood*, 10.

**Vicarages.**

1 BY this Act Commissioners were appointed by the King to incorporate 33 H. 8. Sess. 1. rate Vicars in the Possessions of the Hospitals of *St. John of Jerusalem*, and in all other the dissolved Monasteries, &c. in the Kingdom, and to endow them with Livings in the same not exceeding 13 l. 6 s. 8 d. per Ann. and Letters Patents to be passed for the same, and have perpetual Succession.

2 The King, &c. to have the Presentation, &c. to all such Vicarages for ever.

Vid. *First-fruits*, 12. *Glebes*, 15. *Parish-churches*, 44.

**Vicars.** Vid. *Appropriation*, 1, 2. *Leases*, 7, 8. *Spiritual Persons*, 11. *Union*, 1.

**Vicar General of Dublin.** Vid. *Poor-house*, 1.

**Vicars Chozals.** Vid. *Religious House*, 5.

**Vice-Treasurer.** Vid. *Error*, 3. *Pretender*, 1. *Rivers*, 65, 67.

**Victuals, Victuallers, Inn-holders, &c.**

1 NONE in Cities, &c. who by his Office ought to keep the Assize 12 E. 2. c. 6. of Wine and Victuals, shall sell or buy such during his Office, on Eng. pain of forfeiting the same. T t All Post, 3.



**Victuals, Victuallers and Inn-holders.**

All Butchers, Fish-mongers, Regrators, Hostlers, Brewers, Bakers, Poulterers and all Victuallers, shall sell the same at reasonable Profits, on pain of double Value, on Proof before Sheriff, Bailiff, Constable, Mayors, &c.

6 R. 2. St. 1. No Victualler in any City, &c. or Sea-port, shall exercise a judicial Office, and if he sells, &c. Victuals during his Office, 'tis forfeited. 3

13 R. 2. c. 8. Victuallers shall sell their Victuals at such reasonable Price as shall be set down by Justices of Peace in two Sessions between Easter and Michaelmas, on pain of Punishment, where no pain is already ascertained. 4

23 H. 6. c. 13. Justices of Peace to cause all Statutes relating to Victuals to be proclaimed in Sessions twice every Year. 5

Vid. *Aliens*, 1, 5. *Customs*, 17, 38. *Piracy*, 3.

**Victualling-Houses.** Vid. *Cook-Shops*.

**Vi et Armis.** Vid. *Jeofails*, 5.

**View.**

13 E. 1. c. 48. **V**IEW of Land shall not be granted, but where it is necessary. 1

Eng. W. 2. View shall be granted in a Writ of Advowson of a Church, and 2  
12 E. 2. Eng. de visn. terra. in a Writ of Customs and Services.

6 An. c. 10. In any Action in the *Four-Courts* where necessary, the Court may order a View, and a Writ to issue, whereby the returning Officer is to have six or more of the Jurors in the Writ, on the Place before Tryal, the Place in question to be shewn by two Persons appointed by the Court named in the Writ. 3

Vid. *Gold*, 14. *Spiritual Persons*, 22.

**Vinegar.** Vid. *Ships*, 12.

**Vintners.** Vid. *Customs*, 38, 40, 41, 43, 44.

**Discounts.** Vid. *Abatement*, 2.

**Distation.** Vid. *Bishops*, 4. *Citation*, 5. *Glebes*, 20. *Religious houses*, 12. *Rome*, 11. *Spiritual Persons*, 30. *Uniformity*, 8.

**Disne.** Vid. *Venue*.

**Uster.** Vid. *Merchants*, 11.

**Umpirage.** Vid. *Arbitration*, 1, 3.

**Under-age.** Vid. *Age*.

**Under-sheriff.** Vid. *Sub-sheriff*.

**Undertakers.** Vid. *Artificers*, 8, 12, 13.

**Under-treasurer.** Vid. *Vice-treasurer*.

**Under-wood.** Vid. *High-ways*, 4. *Prohibition*, 5.

- 1 **A**LL † Ministers to use the Form as in the Book of *Common Prayer*, in all Churches, † and no other, on pain of forfeit-<sup>† El. 6. 2.</sup> ing for the first Offence, a Year's Profit of his Livings, and Imprisonment for six Months, the Second Offence, a Year's Profit, and be deprived, whether a beneficed Parson or not.<sup>† Post, 12.</sup>
- 2 Persons by Plays, Songs, &c. depraving said Book, or by any Means interrupting a Parson in the Service, shall forfeit 100 Marks, the First, 400 the Second, and the third Offence, all Goods, &c. and be imprisoned for Life.<sup>† Post, 5, 6.</sup>
- 3 All Persons to repair to Church on *Sundays*, &c. on pain of 12 d. each time, to be levied by Distress, by the Church-Wardens for the Parish.<sup>Vid. Religion, 1. Dissenters excused.</sup>
- 4 Persons offending, to be punished by the Censures of the Ordinaries.
- 5 Justices of Peace, Goal-delivery, &c. have Power to determine said Offences, and issue Execution, and the Bishop may joyn and associate them therein. (Vid. *Tit. Justice of Assize, 5. where no Lord, &c. can sit on the Bench.*)
- 6 Prosecution not to exceed the next General Sessions, Lords to be tried by their Peers.
- 7 Magistrates in Corporations, where no Assizes or Sessions are held, may determine said Offences.
- 8 Said Offences may be enquired of in all Visitations, Peculiars, &c. but the Party not to be punished twice.
- 9 The Ornaments of the Church and Ministers to be used, as was in the time of *E. 6.* until altered by Order of the Queen, &c.
- 10 All Laws appointing other Services are hereby declared void.
- 11 Where Ministers can't speak *English*, they may read the *Common Prayer* in *Latin*.<sup>Vid. English Lang. 3. Post, 21.</sup>
- 12 The Form of Morning and Evening Prayer, &c. and Celebration of the Sacraments, as in said Book is contained, shall be constantly used by all Ministers, &c.<sup>17 & 18 Car. 2. Sess. 5. c. 6.</sup>
- 13 A Clause that every Parson, within two Months after Admission into any Benefice, shall read the Morning and Evening Prayer, and declare his Assent and Consent publickly (the Form of which see in the Statute at large) or in a Month after, any Impediment, on pain of Deprivation, *ipso facto*.
- 14 The proper Incumbent residing on his Livings, and keeping a Curate, shall in Person once a Month perform Divine Service, on pain of 5 l. before a Justice of Peace, on Oath of two Witnesses, to be levied by Distress on their Warrant, by the Church-Wardens.
- 15 All Dignitaries, Heads, Fellows of Colleges, Ministers, &c. School-masters, being in Orders, shall subscribe a Declaration, *Viz.* (That it is not lawful to take up Arms upon any Pretence, against



the King) and to conform to the Liturgy of the Church of *Ireland*, before the Ordinary or Visitor, on Pain of Deprivation *Ipso facto*. N. B. *The Part of this Declaration within the Parenthesis is* † *taken away, and the Words relating to the solemn League and Covenant is by this Act taken away from* March 1682.

† *Vid. Oaths* 18.

School-Masters or Tutors teaching without Licence from the Bishop, &c. and not taking the Oaths, &c. (*Vid. Oaths*, 6.) to suffer 3 Months Imprisonment, and forfeit 5 *l.* to the King, (*Vid. Fees, verbo Licence.*)

Every Parson, Vicar, &c. to procure a Certificate from the Bishop, 17 of subscribing the said Declaration (*ante*, 6) and read the same and the Declaration on a Lord's-day, within 3 Months in the Parish-church, in presence of the Congregation, on pain to be *ipso facto* deprived, &c.

None shall be capable of a Benefice or Dignity, or consecrate, &c. 18 the Sacrament before he is Priested, on pain of 5 *l.* and be disabled of being Priested in one Year after.

No Title to present by Lapse on Deprivation by this Act, shall 19 accrue till after 6 Months Notice.

† *Post*, 21.

The Form of Prayer in said Book, and no other to be used in 20 all Colleges, and the Governors thereof to subscribe the 39 † Articles, and declare his Assent and Consent, and shall read Prayers, &c. once a Quarter publickly, on pain of Suspension and Deprivation.

† *Ante*. 11.

The Prayers may be used in Colleges in † *Latin*, and no Lecturer 21 shall be received till licensed by the Bishop, &c. and subscribe the 39 Articles, &c. and shall on the first Lecture-day of every Month (except Cathedral, &c. Churches) read Prayers and declare his Assent, as long as he continues Lecturer, on pain of Disability; and if they preach, &c. under such Disability, to suffer 3 Months Imprisonment, to be committed by 2 Justices of Peace or Mayor, upon Certificate of the Ordinary.

When a Sermon is to be preached (except in Colleges) the Prayers 22 must be first read, and the Preacher must be present.

The Law and Statute made for the Uniformity of Prayers shall 23 stand in force.

In the Prayer for the King, &c. the Names and Titles to be 24 changed according to the Occasion.

A Copy of the Book of Common-Prayer was to be gotten by all Pa- 25 rishes before the 29th September 1667, on pain of 3 *s.* per Month after.

All Bishops, Priests, consecrated and ordained by the 36th of the 26 39 Articles (for consecrating of Bishops, &c.) are decreed to be lawfully ordained, &c. and all Subscriptions made to the 39 Articles shall extend to the 36th Article.

1 E. 6. c. 1.  
*Eng.*

The Sacrament of the Lord's-Supper to be received in both Kinds 27 in *Ireland*, &c.

Union.

## Union.

333

- 1 **W**HERE in one Parish there are a Rector and Vicar endow-  
ed, (or more) the Bishop may unite them, and after the  
Death, &c. of the present Incumbents, shall continue to the Sur-  
vivor of them one entire Rectory. 100<sup>th</sup> 11 Car. 1.  
Sess. 4. c. 2.
- 2 A Commission to issue out of the *Exchequer* to value them, and  
the several Patrons to present by turns, according to the Proportion of  
Valuation, if of equal Value, to present alternately.
- 3 Out of the Tythes belonging to the Chanter of the Parish of *Blessington*, the Bishop of *Dublin*, by Consent, may augment the  
Vicarage of said Parish to 50 l. per Annum. 6 An. c. 19.
- 4 Said Augmentation not to take Effect till the said Vicar consents  
to the Dissolution of the Union of the Parishes of *Ballymore-Eustace*  
and *Blessington*, and then, and on his Death, they shall be 2 di-  
stinct Parishes.  
Vid. *First-fruits*, 21. *Glebes*, 12. (*Parish-Churches* per tot' and the  
*Names of the Places united alphabetically*) *Spiritual Persons*, 15.
- Episcopal Union.** Vid. *Parish-Churches*, 61.
- Universities.** Vid. *Physick-Gardens*.
- Unlawful Assembly.** Vid. *Riot*.
- Unlawful Enterp.** Vid. *Costs*, 1.
- Unlawful Games.** Vid. *Gaming*.
- Unshion.** Vid. *Rivers*, 24.
- Voluntary Promoters.** Vid. *Citation*, 3.
- Votes.** Vid. *Parish-Churches*, 54. *Parliament*, 4, 30, 31, 36, 49.  
*Plantation*, 7.

## Voucher.

- 1 **I**N a Writ of Entry in the Degrees, none to vouch out of the  
Line; in Writs of Right and Possession, a good Counter-plea  
that neither the Vouchee nor his Ancestors had ever Seisin of the  
Land, &c. 3 E. 1. c. 39.  
Eng. W. 1.
- 2 Where a Vouchee dischargeth himself of the Warranty, or de-  
nieth it, and is tried against him, he shall lose his Land. 13 E. 1. c. 6.  
Eng. W. 2.
- 3 The Demandant may aver a Vouchee to be dead where the Te-  
nant voucheth a Person deceased to Warranty. 14 E. 3. c. 18.  
Eng.
- Vid. *Fraudulent Conveyance*, 7.
- Vouchers for Horses.** Vid. *Fairs*, 6, 7.
- Wapage.** Vid. *Court of Wards*, 5. *Navigation*, 1.
- Wpton, Thomas.** Vid. *Poor-house*, 1.
- Wrens.** Vid. *Customs*, 143.
- Wages.** Vid. *Customs and Usages*.
- Wsher.** Vid. *Schools*, 9.

**Uses.**



1 R. 3. c. 1.  
Eng.

**A**LL Grants, Conveyances, Recoveries, &c. made by *C'est q; use* 1 of full Age, &c. shall be good against him and his Heirs, &c.

1 H. 7. c. 1.  
Eng.

The Demandant in Formedon, in Descender or Remainder, may 2 have his Action against the Pernor of the Profits; and such Pernor shall have all Advantages as if Tenant in Deed.

3 H. 7. c. 4.  
Eng.

Deeds of Gifts of Goods and Chattles made in Trust, to the Use 3 of the Grantor, shall be void.

10 Car. 1. Seff.  
2. c. 1.

The Seisin and Possession of Lands, &c. shall be adjudged in him 4 or them that have the Use.

Assurances made to several for the Use of one or some of them, 5 the *C'est q; use* shall have such Possession, &c. in the Lands, &c. as he hath in the Use.

The *C'est q; use* of any yearly or other Rent, shall be adjudged 6 in Possession; and shall have like Remedy for Distress, Avowry, &c. as if granted to himself.

A Jointure made to a Woman married, by way of Use, shall be 7 a Bar of Dower, unless evicted. (Vid. *Dower*, 7.)

All Persons having any Estate, executed by this Stat. shall have 8 all Advantages, Benefit, &c. by Action, Entry, &c. as the Persons seized, to their Use, might have against Persons, for any Waste, Trespass, Condition broken, &c.

Vid. *Dower*, 7. *Fine*, 10. *Pious Uses*, 1. *Trusts*, 4.

**Uquebagh.** Vid. *Wine*, 8.

**Utenfils.** Vid. *Servants*, 18.

**Ufurpation.** Vid. *Advowson*, 1. *Quare impedit*, 7.

### Usurp.

10 Car. 1. Seff.  
2. c. 22.

**B**Y this Act the Interest of Money was made 10 l. per cent. per 1 ann.

The Act made 3 H. 7. in *England*, for Usury, and other Statutes 2 in Force in *Ireland*, are repealed by this Act.

2 An. c. 16.

By this Act the Interest was reduced to 8 l. per cent. per ann. from 3 26th March, 1704.

8 Geo. 1. c. 13.

By this Act the Interest was reduced to 7 l. per cent. per ann. from 4 25th March, 1722.

5 Geo. 2. c. 7.

By this Act the Interest of Money is reduced to 6 l. per cent. per 5 ann. from the first Day of May, 1732. and Persons taking more, to lose treble Value of the Money, &c. lent, to the King and In-former.

Scriveners, Brokers, Solicitors, &c. taking more than 5 s. per 6 cent. for procuring, &c. the Money, or more than 1 s. for making a Bond, shall forfeit 20 l. as ante, 5. and Imprisonment for 6 Months.

Vid. *Bankers*, 1.

### Wagers.

**Wagers.** Vid. *Gaming*, 1.

**Wages.** Vid. *Artificers*, 1. *Captains*, 3. *High-ways*, 23. *Justice of Assize*, 6. *Justice of Peace*, 3. *Labourers*, 1. *Navigation*, 1, &c. *Schools*, 13. *Servants*, 3, 4, 11.

### **Wager o' Law.**

1 **ANY** Man may wage his Law by sufficient People of his Condition. 38 E. 3. c. 5. Eng.

**Waggons.** Vid. *Carriers*.

**Wainscot.** Vid. *Spiritual Persons*, 21.

**Waiters.** Vid. *Customs*, 58.

**Wales.** Vid. *Cattle*, 1. *Coals*, 5.

**Warborough's.** Vid. *St. Warbroughs*.

**Warberton, Richard.** Vid. *Rivers*, 36. L.

**Wardens of the Peace.** Vid. *Bows*, 4.

**Ward, Michael.** Vid. *Rivers*, 36. U.

**Wardships.** Vid. *Court of Wards*, 5, 7, &c. *Heirs*, 1.

**Ware-house.** Vid. *Custom*, 80, 92.

**Wares.** Vid. *Fairs*, 3.

**War.** Vid. *Captains*, 1, 5. *Letters Patents*, 5. *Limerick*, 7. *Treason*, 1.

**Warrants.** Vid. *Artificers*, 3. *Customs*, 6, 151. *Fees*, 24. *Pardon*, 3. *Prisoners*, 6. *Small Debts*, 4, &c.

**Warrants of Attorney.** Vid. *Appearance*, 2. *Attorneys*, 9, 11, 12. *Civil Bills*, 21. *Felony*, 58. *Fine*, 13. *Jeofails*, 1, 3.

### **Warranty.**

1 **I**N Deeds containing *Dedi et concessi*, without any Clause of Warranty, to be holden of the Donor, &c. by certain Services, the Donors and their Heirs are bound to Warranty. 4 E. 1. c. 6. Eng.

2 Where Tenant by the Courtesy alien Lands, the Son is not barred by his Warranty, without Assets by Descent. (Vid. *Post*, 3.) 6 E. 1. c. 3. Eng. Gloc.

3 All Warranties made by Tenant for Life, and all Collateral Warranties, shall be void. 6 An. c. 10.

4 Vid. *Aid of the King*, 1. *Join-tenants*, 1. *Partition*, 8. *Voucher*, 2.

**Washing.** Vid. *Dublin*, 27.

### **Waste.**

1 **N**O Waste shall be made by the Guardian in the Ward's Lands, on Pain of losing the Custody of the Ward. 9 H. 3. c. 4. Eng. M. Ch.

2 The Guardian shall, out of the Issues of the Ward's Lands, uphold the Houses, Mills, Ponds and Improvements, &c. Ibid. 5.

The



**Waste.**

- The like to be observed of Spiritual Livings during their Vacancy. 3
- 6 E. 1. c. 5. Eng. Actions of Waste is maintainable against Tenant by Curtesy in 4  
Gloc. Dower, for Life or Years, and treble Damages, and the thing  
wasted recoverable.
- 13 E. 1. c. 14. Eng. Process in Action of Waste, shall be Summons, Attachment and 5  
Distress.
- 13 E. 1. c. 22. Eng. Action of Waste is maintainable by one Tenant in common against 6  
another for Wood, Turf, Lands, &c.
- 20 E. 1. Eng. 'Tis maintainable by any Heir for Waste done in his Ancestors 7  
Stat. of Waste. time.
- 11 H. 6. c. 5. Eng. An Action of Waste is maintainable by the Reversioner against 8  
Tenant for Life or Years, that first aliens his Estate to a Stranger  
who afterwards commits Waste, he still receiving the Profits.
- Vid. *Costs*, 6. *Court of Wards*, 8. and *Estrepmnt*, 1. *Gold*, 12,  
*Leases*, 9. *Papists*, 30. *Tobacco*, 7. *Uses*, 8.
- Wastes.** Vid. *Inclosures*.

**Watches.**

- 13 E. c. 4. Eng. Night-Watches to be set between *Ascension-day* and *Michael-* 1  
*mas*, from Sun-set to Sun-rising, with 6 Men at every Gate  
† *Post*, 4. in Cities, &c. and 4 in Towns, who are to arrest † suspected  
Strangers.
- 5 H. 4. c. 3. Eng. This Act orders Watches to be Set on the Sea-coast, and that 2  
in all Commissions of the Peace, a Clause shall be inserted to em-  
power Justices in Sessions to enquire of Watches, &c.
- 6 Geo. 1. c. 10. The Justices of Peace and Grand-juries in Sessions, Seneschal and 3  
Juries in Leets may ascertain the Number of Watch-houses, and  
where to be kept in all Parishes, and Arms and other Necessaries  
to be provided.
- † *Ante*, 1. The Persons appointed by one or more Justices of Peace, &c. 4  
from time to time, shall be the Established Watch, and to be kept  
from 29th *September*, to 25th *March*, and may stop and examine †  
suspected Persons and carry them to a Justice of Peace.
- Grand-juries in Sessions, &c. to appoint Watch-houses to be 5  
built in Confines of Parishes, (Vid. *High-ways*, 34.) can't raise Money  
for this purpose.
- All Persons liable to *Hearth-money*, and who by Law ought to 6  
watch shall keep Watch in his turn.
- Constables, &c. in *Easter* Sessions to return a List upon Oath of 7  
all such Inhabitants, who shall keep watch for a Year, in order as  
in said List.
- Persons refusing to watch, to forfeit 12 d each time, to be levied 8  
by the Distress by Warrant.

Constables

- 9 Constables neglecting, &c. to make said Return, to forfeit 5 l. and 10 s. for every Inhabitant omitted, to the Prosecutor by Civil-Bill.
- 10 The Lord Lieutenant may issue Proclamations, requiring Justice of Peace to order *Protestants* only to be Watch-men, and that a *Papist* in his Turn shall provide a *Protestant*.
- 11 The general Issue pleadable on this Act, and double Costs given.
- 12 This Act is made Perpetual by 10 Geo. 1. c. 3. but what related therein to the City of *Dublin*, Expired, but is Re-enacted by the subsequent Act, for *Dublin* only, and see its Continuance, *Post*, 30.
- 13 On the 3d Sunday in February, notice of a Vestry to be given in all Parishes in *Dublin*, and the Parishioners therein to chuse 9 Persons who, or 5 of them, shall be Supervisors, and direct the Watch-houses, the Constable, Stands, Number of Watch-men, their Arms, Wages, Duty, and make Rules, &c. for that Year, to be Printed and posted on the Watch-house Door, &c. 10 Geo. 1. c. 3.  
Relates to Dublin only.
- 14 The Watch to be set at 10 a Clock in Winter, &c. at 4 in Summer. Constables neglecting, shall forfeit 10 s. to be levied by Warrant of Justice of Peace, by Distress, &c.
- 15 Constables to be chosen in a Vestry on *Easter Tuesday*, yearly, and returned to the Lord Mayor, for Approbation; Persons so chosen, refusing to Act, &c. to forfeit 5 l. to be levied as *Ante*, 14. and to be applied to find another.
- 16 *Papists* and Inn-keepers, &c. disabled from Acting as Constables, but shall find another, or pay 5 l. to be levied and applied as aforesaid.
- 17 Esquires, half-pay Officers, Aldermen their Deputies, and those who were Sheriffs exempted from being Constables.
- 18 Constables to leave a Memorandum of the Place of his Abode, with the Lord Mayor.
- 19 Constables to nail or paint a Short-staff at his Door, on pain of 40 s. to the Informer and Poor.
- 20 Every Constable on pain of 10 s. to make a Return to the Lord Mayor, the Morning coming off the watch, of its Condition, Prisoners, &c.
- 21 Every House in *Dublin* (except Church-wardens) to pay 6 d. per Pound, of the Rent it pays, towards the Watch, to be levied as Ministers-Money is, (see *Ministers*, 2.) and shall then be discharged of going or sending to Watch.
- 22 Houses set for less than the Valuation without Fine, shall not pay according to any former Valuation, but by the reserved Rent, on Oath of the Tenant.



**Watches.**

Church-Wardens to account upon Oath to the Supervisors for 23  
Money received every 6 Months, and the Supervisors to enter their  
Accounts yearly in the Vestry-Book.

Church-Wardens guilty of Perjury, to be punished as at common 24  
Law.

A Watchman quitting his Station, absent from Duty, being 25  
Drunk, &c. to forfeit 5 s. or be whipt, and Constables neglecting  
to forfeit 20 s. both to the Informer.

Grand-Jury at Sessions may raise Money for new Watch-houses. 26

None shall serve as a Constable twice in one Parish. 27

A Clause for directing the Watch of St. Sepulchre's, Thomas-Court 28  
and Donore.

The general Issue pleadable, and treble Costs given on executing 29  
this Act.

This Act is in force to the 25th. of March, 1737. by 3 Geo. 2. c. 5. 30

3 Geo. 2. cap. 13. Church-Wardens may appeal to any Judge of B. R. from the 31  
Disapprobation of the Lord-Mayor, of Constables returned to him,  
ante, 15. and Deputy Constables to be approved of by the Vestry.

The Lord-Mayor on notice given him of Sewers broken or 32  
opened, &c. on pain of 40 s. per Night, to appoint a Person to  
watch there with Lights in the Night, and the Seneschals of  
Thomas-Court and Donore, 20 s. by civil Bill to the Informer and  
Poor.

**Watchmen.** Vid. Felony, 21. Rent, 26. Watches, 13.

**Water-Course.** Vid. Dublin, 22. High-ways, 18.

**Waterford.** Vid. Corn, 16. Customs, 13. Lights, 12. Recognizance,  
7. Wooll, 22.

**Water-Pipes.** Vid. Dublin, 12, 23.

**War.**

11 H. 6. c. 12. Eng. **NO** Chandler shall have any more than 4 d. per Pound Profit in 1  
Wax-candles on pain of forfeiting the same; and Justices of

Peace may hear and determine the same.

Vid. Customs, 16.

**Weapon.** Vid. Clergy, 9. Papists, 5.

**Wears.**

9 H. 3. c. 23.  
Eng. M. Ch.

**A**LL Wears shall be put out except on the Sea-Coast thro' the 1  
Realm.

12 E. 4. c. 7.  
Eng.

Several other Statutes made to this Purpose, are confirm'd by this 2  
Act.

28 H. 8. c. 22.

The Sheriffs, Seneschals of any of the Counties of Kildare, 3  
&c. and all Subjects in Company with them, may pull down  
Wears on the Barrow, Nore, Shure and Rye, and make Gaps for  
Boats, &c. to go through; Persons resisting to forfeit 5 l. to the King  
and Prosecutor, by Action of Debt, no Essoin, &c. allow'd.

The

- 4 The Sheriff, &c. on Notice where there is no such Gaps, is to pull it down, on pain of 10*l.* and Persons refusing to assist him, to forfeit 10*l.*
  - 5 None shall take Bank-fees from Boats, &c. on said Rivers, as far as the Salt-water flows, and Boat-men to have 7 Foot on the Bank on each side, for drawing their Boats by Horses, &c. on pain of treble Damages, and 10*l.* to the King and Prosecutor.
  - 6 Boat-men imbezelling Wine, Goods, &c. carried by them on said Rivers, to forfeit the Freight and treble Value.
  - 7 Boat-men taking more Freight than usual, to forfeit 13*s.* 4*d.* *Vid. Rivers, 5. 68.* every time.
  - 8 Any Person who shall repair said Wears, *Ante*, (3.) after they are broken down, shall forfeit 50*l.* the First, and 100*l.* the second and third time to the King and Prosecutor.
  - 9 The General Issue pleadable, and treble Costs recoverable, by Defendants sued for executing this Act, but not to extend to hinder Fishing with Nets, &c.  
*Vid. Fish, 4. Rivers, 12, 32.*
- Weavers.** *Vid. Corporation, 10. Drapery, 10. Linen-Manufacture, 6, 16, 25, 60. Parliament, 54.*
- Weazels.** *Vid. Game, 19.*

**Weights and Measures.**

- 1 **W**INE, Ale, and Corn to be of one Measure, throughout the Kingdom. *9 H. 3. c. 25. Eng. M. ch.*
- 2 By this Statute the Assize of Bread was regulated according to the Price of Corn. *51 H. 3. Eng. Ass. pan. & Serv. de pistoribus, Eng. poult. 109.*
- 3 The Assize of Bread shall be rated according to the middle Price of Wheat, and not to be charged but by † 6*d.* decreasing or increasing in the Sale of a Quarter. *† Vid. Bread, 1.*
- 4 Bakers not observing the Assize of Bread, to be put on the Pillory, &c. *Vid. Brewers, 1.* *51 H. 3. Eng. Stat. Pillory.*
- 5 Every Pillory to be made so, that Execution may be done without Peril of the Offenders Bodies. *Ibid. c. 3.*
- 6 Assize of Ale to be assessed, according to the Price of Corn where of Malt is made, the first, second and third Offences is Amerciament, the fourth is Pillory. *31 E. 1. Eng. Incerti temp. poult. 110. c. 6.*
- 7 Auncel Weight shall be put out, and Weighing shall be by equal Ballance. *25 E. 3. Stat. 5. c. 9. Eng.*
- 8 Eight Bushels of Corn straked, shall be a Quarter, and none to buy otherwise, on pain to forfeit the Corn. *15 R. 2. c. 4. Eng.*
- 9 Potatoes in Cities, Towns Corporate, and Market-Towns, shall be sold by Weight, and not by Measure or otherwise howsoever, *7 Geo. 2. c. 15.*



## Weights and Measures.

according to *Avoir-du-pois*. 14 Pound is a Stone, and 8 Stone 100 Weight, and to be weighed without Fee.

And all Persons bringing Potatoes into Port, or selling them otherwise than by Weight, to forfeit 6*d.* for any Quantity under a Stone, and 6*d.* for every Stone sold, to the Informer and Poor; Prosecution to be within three Days.

Vid. *Bread*, 2, 3. *Butter*, 13, 22. *Clerk of the Market*, 2. *Coin*, 4, 9. *Corn*, 1. *Escheator*, 4. *Measures*, &c. 10. *Pewter*, 4, 6. *Wooll*, 4.

**False Weights.** Vid. *Measures*, 14.

**Weigh Master.** Vid. *Butter*, 12, 13, 17, 24, 25. *Corn*, 17. *Fees*, 39. *Fish*, 24, 27. *Hides*, 2, 3. *Measures*, 12, 17.

**Wells.** Vid. *Papists*, 38.

**Wemys, Patrick.** Vid. *Rivers*, 36. *L.*

**West Meath.** Vid. *Counties*, 8, 9.

**Wexford.** Vid. *Corn*, 16.

**Whales.** Vid. *Wreck*, 2.

**Wharfingers.** Vid. *Customs*, 22.

**Wheat.** Vid. *Corn*, 10, 11.

**Whelps.** Vid. *Dogs*.

**Wherries.** Vid. *Ballast*, 1, 2, &c.

**Whipping.** Vid. *Felony*, 50. *Fish*, 14. *Hedge-breakers*, 1, 7, 9. *Holidays*, 2. *Lights*, 11, 13. *Linen-Manufacture*, 51. *Papists*, 38. *Servants*, 10, 13, 18. *Swearing*, 1. *Vagabonds*, 4, &c. *Wood*, 12.

**White Salt.** Vid. *Salt*.

**Whitket, Samuel.** Vid. *Rivers*, 36, *M.*

**Widow.** Vid. *Administrator*, 2, 5, 6, 7. *Dower*, 1. *Hearth-money*, 14. *Papists*, 48, 49. *Wills*, 1, 13.

**Wife.** Vid. *Cui in vita*, 1. *Dower*, 5. *Justice of Peace*, 12. *Leases*, 4. *Marriages*, 7. *Solicitors*, 23.

**Wild Fowl.** Vid. *Game*, 2, 8.

**Wilkinson, Thomas.** Vid. *Ability*, 9.

**Willows.** Vid. *Hedge-breakers*, 3.

## Wills.

20 H. 3. c. 2. **WIDOWS** may bequeath the Crop on the Ground, as well of their Dower, as other Lands.

Eng. Merton. 28 H. 8. c. 18. No Ordinary, &c. shall compel the Husband, &c. of a *Feme-Covert*, to prove her Will, nor administer to her, unless she was *Executrix*, &c. of some other Person, or that the Husband hath Cause of Action, on pain of 10*l.* to the King, and Party aggrieved.

Lands devised to be sold, neither the Profits or Money arising by the Sale, shall be deemed Part of the Chattle.

- 4 All Persons may devise their Lands, &c. in Soccage by Will at 10 Car. 1. Seff. 2. cap. 2. their Pleasure.
- 5 By this Act 2 Parts only of Lands held by Knights-Service were devisable, but this Tenure being taken away, and all Tenures being turned to free and common Soccage, the whole may be devised. Vid. Court of Wards, 2.
- 6 The Father tho' under Age may, by Deed or Will subscribed by 2 Witnesses, appoint the Custody or Tuition of his Child under Age unmarried to any Person in the Communion of the Church, and such Guardian may bring Ravishment of Ward or Trespass. 14 & 15 Car. 2. Seff. 4. cap. 19.
- 7 Such Guardian may take the Profits of Lands and personal Estate, till the Ward arrive at 21, and bring Actions for the same.
- 8 All Devises of Lands shall be in Writing signed by the Party or his Order, in his Presence, and subscribed in his Presence by 3 Witnesses, or shall be void. 7 Gul. 3. Seff. 1. cap. 12.
- 9 Devises of Lands in Writing not revokable but by other Will, &c. in Writing or by Burning, &c. the former by the Testator. Vid. Post, 14.
- 10 Estate pur autre vie is devisable, and if no Devise made, it shall be chargeable as Assets by Descent in the Hands of the Heir, who has it by special Occupancy, and if no special Occupant it shall go to the Executors, &c. and be Assets in their Hands.
- 11 No Nuncupative Will exceeding 30 l. shall be good unless proved by 3 Witnesses that were present, and made in the last Sickness, and at the dwelling Place of the Testator, or being taken Sick abroad.
- 12 No Probat, &c. thereof, shall be admitted after 6 Months, unless it was reduced to Writing in 6 Days after speaking it.
- 13 No Probat of Nuncupative Will shall be granted before 14 Days after the Death of such Testator, and the Widow or next of Kin, to be proceßed to contest it.
- 14 No Will in writing of Chattles shall be repealed by Words, unless committed to Writing in the Life of the Testator, and allowed by him, and proved by 3 Witnesses. Vid. Ante, 9.
- 15 Soldiers and Sailors being in actual Service may dispose of a personal Estate notwithstanding this Act.
- 16 The Jurisdiction of Courts for Probats of Wills not altered by this Act.
- 17 Persons who ought to be allowed as Witnesses on a Trial at Law, shall be good Witnesses to a Nuncupative Will. 6 An. c. 10.

Vid. Court of Wards, 12. Fees, 1. Forgery, 1, 8. Fraudulent Conveyance, 8. Register, 1, 5, 13.

**Wilson, Samuel.** Vid. Lights, 1.

**Winchester Measure.** Vid. Coals, 8.

**Wine.**



4. E. 3. c. 12.  
Eng.

**N**ONE shall sell Wines but at reasonable Prices, according to the Price at the Port where it comes from, and to be tried at *Easter* and *Michaelmas*.

28 El. c. 4.

Vid. ships, 13.

This Act directs the Towns and Places (*See their Names Alphabetically referring to this Title and Number*) where Aliens and Denizens are to land their Wines, and landing them in other Places to be forfeited, but not to extend to Ships inforced by Tempest or Enemy, and also directs the Custom then payable for Wines.

Post, 7.

Wines landed without paying the Custom forfeited.

The Lord Deputy or Governors, the Lord Chancellor, 2 Chief Justices, the Chancellor and Chief Baron of the *Exchequer*, or any 3 of them, (the Lord Chancellor to be of the *Quorum*) have Power yearly in *Hilary-Term* by Proclamation, to set the Price of Wines by Retail or by the Tun, &c.

Persons selling Wines contrary to such set Prices, to forfeit double the Value to the Crown and Prosecutor, or to a Corporation if there fold.

Justices of Peace, &c. may hear and determine Offences against this Act, but to be prosecuted in 6 Months.

Merchants importing Wines, to have four Months for Payment of the Impost, giving Security by Bond to the Collector, &c.

17 & 18 Car. 2.

Sess. 5. c. 19.

Post, 10.

Vid. Custom

165. This Act explained.

None on pain of 5*l.* to the King and Prosecutor, shall retail 8 Wine, Aquavitæ, Usquebagh, Brandy, Balkan or Strong-waters without License, no Effoin, &c. allowed,

Commissioners to be appointed to grant Licenses (*as in Ale-house*, 9 2.) but this License to continue 3 Years.

None to pay less than 40*s.* or more than 20*l.* in the Country, or 40*l.* in *Dublin* yearly for such License for Wine, nor less than 10*s.* or more than 10*l.* in *Dublin*, and 5*l.* in the Country for Aquavitæ, yearly by 2 Payments, the first before the License is taken out, the other in 6 Months after, to be secured by Bond.

The Commissioners in every County to take Recognizance from the Collector for Payment of the License-money into the *Exchequer*.

The Collector to attend the Commissioner (*as in Ale-house*, 5.) but the Forfeiture on the Offenders here is 20*l.*

Collectors not to take any Fees or Reward for License more than 13 by this Act is directed (*See Fees*, 14.) on pain of 10*l.* and taking any more from any Retailer on account thereof to forfeit 40*l.*

No Merchants selling Wine, shall mingle *Spanish* with *French* or *Rhenish* Wine, &c. or put any Ingredients, &c. therein (*which see in their Places referring to this Title and Number*) on pain of 20*l.* and Retailers selling such abused Wine, to forfeit 10*l.* no Effoin, &c.

- 15 Offences on this Act to be determined in the *Exchequer*, *Affizes*, or *Quarter-Sessions*.

Vid. *Butler of the King*, per tot. *Customs*, 11, 35, 75, 94, 130, 131, 154. *Fees*, 14, 17. *Isle-man*, 1. *Measures*, 1. *Ships*, 12, 13. *Weights*, 1.

## Witchcraft.

- 1 PERSONS practising any Invocations of evil Spirits, or any Witchcraft, Charm, Sorcery, Enchantment, &c. where the Death of a Person shall ensue, they and their Aiders, &c. shall be guilty of † Felony without Clergy, but no Loss of Dower or † *Post*, 2. Corruption of Blood.

- 2 And in Case of laming or wasting the Party, or destroy or impair Goods or Chattles, the first Offence is a Year's Imprisonment, and Pillory once a Quarter, and the second Offence Felony, *as ante*, Peers to be tried by Peers.

- 3 Persons by Witchcraft taking on them to discover hidden Treasure, stolen Goods, or provoke to love, or hurt or destroy any Person in Body, Member, or Goods, &c. the first Offence as above, and the second to forfeit to the Crown all Goods and Chattles, and be imprisoned for Life.

## Witness.

- 1 WItnesses produced on Behalf of Prisoners on Trial of Murder or Felony, shall be sworn, and if they give false Evidence shall suffer as in wilful Perjury.

Vid. *Artificers*, 2. *Customs*, 56, 57, 64, 151. *Mortgages*, 9. *Register*, 4, 5. *Rome*, 23. *Wills*, 17.

**Wives.** Vid. *Wife*.

**Wolves.** Vid. *Grand-jury*, 2.

## Women.

- 1 OBligations or Statutes taken from Women by Force or Persuasion on account of Marriage, shall be void. 31 H. 6. c. 9. Eng.
- 2 Women guilty of such Offences, for which a Man may have his Clergy shall, for the first Offence, be burned in the Hand, having a (T) thereon, Imprisonment or Whipping, &c. as the Judge thinks fit. 10 Car. 1. Sess. 3. c. 16.
- 3 If any Person above 14 Years old secretly allure and convey away, and procure, &c. to be conveyed, any Maid, &c. within 18, having Substance in Lands, &c. or Goods, or being Heiress, out of the Custody of Father &c. or Guardian against their Will, and contract Matrimony with her by Consent, without the Consent of Parent, Guardian, or Lord Chancellor, &c. he shall suffer 3 Years Imprisonment, and be for ever disabled to have any Profit by her Estate. 6 An. c. 16.

Said



**Women.**

Said Estate to be vested in Trustees by *Chancery*, and to pay her 4  
a Proportion thereof if she survive the Husband, the Remainder to  
descend to the Persons entitled.

If any Person entice the Son and Heir apparent of any Person 5  
having Lands, &c. of 50 l. per Ann. or a personal Estate of 500 l.  
or procure the Son of any Person deceased, to contract Matrimo-  
ny without Consent of Parents, Guardian, or Lord Chancellor,  
under 21 Years of Age, she shall be barred of Dower, Jointure,  
&c.

Accessories before the Fact to suffer 3 Years Imprisonment. 6

To force away any Woman against her Consent, and after mar- 7  
ry with, or defile her, whether by her Consent or not, is Felony  
without Clergy, in Principal and Aiders and Accessories before the  
Fact.

Standing mute or challenging peremptorily above 20 Jurors, to 8  
suffer as Felons. (*There is a Clause in this Act against John o Brian,  
for taking away Margaret Mc.Nemara.*)

Vid. *Appeals*, 1. Clergy, 14. Dower, per tot. Entry, 2. Felony, 9.

Marriages, 4. Rape, per tot.

**Women Covert.** Vid. *Feme-covert*.

**Wood.**

10 Gul. 3. Sess. 2. c. 12. **T**HIS Act was made for planting the Number of 260600 1  
Trees, and the Kinds of them, in all the Counties in *Ireland*  
yearly, during 31 Years, from 1703, and to be proportioned by  
the several Grand-juries what Number each Barony is to plant,  
and Persons to have 2 d. for every Tree planted at the Expiration  
† *Post*, 11, 14. of their † Estates; but several Clauses in this Act not here insert-  
ed, are repealed, by 8 Geo. 1. c. 8, *Post*.

None to strip Bark from growing Trees, or cut or sell Oak 2  
Gads, or cut, or place *May-bushes* at Doors, or keep Goats except  
on Mountains, on pain of forfeiting them, and 20 s. for the other  
Offences, to the Informer and Poor.

Brogue-makers, &c. nor none but known Tanners to tan Hides, 3  
&c. and none but Dyers to colour Yarn, Thread or Gloves, on  
pain of 40 s.

None between Sun-rising and Setting to cut down Trees, on 4  
pain of treble Value to the Owner at Sessions, and Fine not less  
than 5, nor more than 40 s. or be sent to the House of Correction,  
on Default of Payment.

Persons, between Sun-setting and Rising, cutting down Trees, to 5  
be sent to Goal by Justice of Peace, and suffer as Felons.

Persons

- 6 Persons having or selling Fruit-Trees, Flower-Trees, &c. or Fruit, Bee-hives or Honey-combs, not having an Orchard or Bees of their own, and not dealing in such, shall prove how they came by them, or on Failure, shall stand convict, and suffer as by Law they ought.
- 7 Fines, &c. not disposed of, to be levied by Warrant from Justices of Peace, and applied to the Linen-Manufacture, and defraying the Charge of the Sessions. *This Act to be given in Charge in the Sessions.*
- 8 By the above last Act, Elder-trees may be planted, but this Act <sup>2 An. Sess. 1. c. 2.</sup> has made it Alder-trees.
- 9 This Act was also made for planting the said Trees, and says that <sup>2 An. Sess. 2. c. 9.</sup> the Trees may be of Oak, Ash, Elm and Firr, and against using of Gads in Plowing, &c. on pain of 20 s. at the Assizes or Sessions.
- 10 This Act is made for settling the Number of Trees to be planted in each Parish, and a Vestry to be summoned, to applot every Person's Proportion of them, and Time was given to the 25th March, 1712. and Forfeitures on former Acts discharged, and this Act to be read at Assizes and Sessions. <sup>9 An. c. 5.</sup>
- 11 Tenant for Life or Years, may fell and carry away with him <sup>8 Geo. 1. c. 8. Post, 14.</sup> the third Part of any Trees by him planted during his Term.
- 12 None to use any Saplin, &c. for the Bow of a Carr or Backband, or Gad or Stick, or Scollops of Oak or Ash, for Thach or Walking-sticks, Handles of Whips, or Switches, on pain of 5 s. before any Justice of Peace, or be whipt by Order of said Justice, in a Market Town, the Forfeiture to go to the Informer and Poor.
- 13 All Magistrates required to put this and former Laws against Gads in Execution.
- 14 By this Act the above Tenant in (11 ante.) may have an equal <sup>5 Geo. 2. c. 2.</sup> Moiety of such Trees.
- 15 And such Tenants, their Executors, &c. shall be paid at the Expiration of their Term, 1 s. for every Apple and Pear-Tree they shall plant and preserve, &c. in Orchards, by Civil Bill.

Vid. *Spiritual Persons*, 32.

**Wood-Askes.** Vid. *Customs*, 107.

**Woods.** Vid. *Hedge-breakers*, 1.

### Wooll and Manufactures.

- 1 **T**HIS Statute made it Felony for *English, Irish, or Welsh* Men <sup>27 E. 3. c. 3.</sup> to transport Wooll, but by <sup>38 E. 3. c. 6.</sup> the Felony was re-<sup>Eng.</sup>pealed, but the Forfeiture of Lands and Goods to stand (*obsolete.*)
- 2 Wooll not to be bought by Fraud, to abate the Price, on pain <sup>31 E. 3. c. 2.</sup> of grievous Forfeiture. <sup>Eng.</sup>



- 34 E. 3. c. 19. No Custom or Subsidy shall be taken for Canvass to pack 3  
Eng. Wooll in.
- 13 R. 2. c. 9. Wooll to be sold at 14 Pound to the Stone, on pain to forfeit 4  
Eng. double to the Party.
- 14 H. 6. c. 5. Wooll, &c. in Creeks for Transportation, to be forfeited. 5  
Eng. Post, 17.
- 13 H. 8. c. 2. None shall export Wool or Flocks out of this Land, on pain 6  
of forfeiting double the Value, and Justice of Peace to enquire  
thereof.
- 28 H. 8. c. 17. All Licences granted against the above Act by the King's Lieu- 7  
Post, 13. tenant, to be void.
- † Post, 15. None to load or ship, or convey to any Creek with intent to 8  
ship any Wooll or Flocks, on pain of Forfeiture, and the † Ship,  
&c. if the Master, &c. be privy. This Act to be enquired of by  
Presentment or Verdict, &c.
- † Post, 12. † Searchers privy to said Offences, and not discovering the 9  
same, to forfeit their Office, and be incapable, &c. of any Patent,  
&c. and if he accept the Office after, he shall forfeit 40 s. per  
Diem.
- And the Searcher shall forfeit 5 l. if his Deputy be privy there- 10  
to, and not discover the same.
- 11 El. Seff. 3. By this Act there was a Sum of 5 s. per Stone on Wooll, and 11  
c. 10. several other Sums laid on several other Goods exported, payable  
to the Crown, but all said Goods being numerated in the *Book of  
Rates*, in the *Table of Rates Outwards*, 'tis needless to mention  
them here.
- And 'tis made Felony, with Forfeiture of Goods only, for the 12  
Searchers to be privy to, and conceal the Exportation of Wooll,  
and such other Goods. (*But see Sheep*, 9, 10.)
- 13 El. Seff. 5. This Act makes it Felony in any Person, their Aiders, &c. to 13  
c. 4. ship Wooll, or any of the said Goods (in 11 ante) in any Port,  
&c. before Entry made, and Custom paid, and the same to be  
† Post, 34. seized, &c. and no † Licence or Pardon for Goods forfeited to  
be good.
- 10 Gul. 3. Seff. By this Act an additional Duty was laid on Broad-cloths and o- 14  
2. c. 5. ther new Draperies exported, from the 25th March 1699, to the  
25th March 1702.
- 10 & 11 Gul. None to export, &c. from *Ireland*, other than to *England*, &c. 15  
3. Seff. 1. c. 10. any Wooll, Wooll-fells, &c. or any Drapery or Woollen-Manu-  
Eng. factures, or lade, &c. on any Horse, &c. or put the same in any  
Vessel, &c. with Intent to export, &c. the same, on pain of for-  
feiting the same and the Ship, &c. and every Offender 500 l. and  
the Master, Mariners, Porters, Carriers, &c. 40 l. a Moiety to  
† 33. Cont. the Informer, the other to the † Linen-Manufacture.

- 16 No Indictment, &c. in *Ireland* (unless the Offender be convicted thereon) shall be a Bar to any Indictment, &c. in *England*.
- 17 Any Person may seize the Ship, and all Wooll, Wooll-fells, &c. *Post, 35.* laid on board Ships, or near the Sea or navigable River, or loaden on any Horse, &c. with Intent to be exported, contrary to this Act.
- 18 Ships, before they take on board any Wooll, &c. on Pain of Forfeiture, to give Bond in double the Value to land such Wooll, &c. in *England*, &c.
- 19 A Register of said Goods to be kept, in *London*, of the Quantity, Quality, the Master's, Owner's Names, and to whom consigned.
- 20 All Cockets, &c. for said Goods to be on Paper, and signed by 3 Officers; and the Certificate of landing them to be by 3 Officers, and the Marks and Numbers to be on the Cocket, and the Certificate for discharging the Bond (*ante, 18.*) and by 1 *Gul. & M. c. 32. sec. 4.* The Wooll is to be weighed in the Presence of the said Officers; and Officers not observing this, to be deemed Accessories.
- 21 The Commissioners, &c. in *Ireland*, to send, every 6 Months, a Certificate or Account of all such Goods, &c. on Paper, to the Commissioners, &c. in *England*, to be compared with said Registry, (*ante, 19.*)
- 22 The Wooll-ports in *Ireland*, by this Act, are *Dublin, Waterford, Youghall, Kinsale, Cork and Drogheda*, and, by 4 *An. c. 7. Eng.* *New-Ports in Scotland since the Union?* *ros* is added, and *Whitehaven*; in *England* are *Biddiford, Barnstable, Minehead, Bridgwater, Bristol, Milfordhaven, Chester and Liverpool*; and *Exeter* (by 1 *Gul. & M. expired*) was a Wooll-port, but not now.
- 23 Commissioners, &c. neglecting or failing in their Duty, to forfeit their Office, and † 500 *l.* to the Use, *ante, 15.*
- 24 The Offence to be tried in the County where the Goods are laden or seized, or the Offender taken. *† Post, 33. cont. Vid. Ships, 30. & Post, 34, 37.*
- 25 The General Issue pleadable on executing this Act, and treble Cost and Damages recovered.
- 26 Wooll, &c. manufactured in *Ireland*, may be exported and imported from and to the said Ports (*ante, 22.*) on Notice, Certificate and Bond.
- 27 Assignments and Grants of the Penalties of the said Bonds, to any Person, shall be void.
- 28 Four Men of War, and 8 Sloops, to be ordered by the Admiralty, to cruize on the *Irish* Coasts, to seize all Ships carrying Wooll to Foreign Parts. *Post, 36.*
- 29 Ships seized, &c. by them, shall be forfeited, and to be sold, as *post, 38, &c.*
- 30 A Clause against sending any Wooll, &c. out of any of the Plantations, on the like Penalty as in the Case of *Ireland*.



## Wooll, and Manufactures.

This Act to be given in Charge at the Assizes, by Order of the Lord Lieutenant, &c. in *Ireland*; and the Judges, returning from Circuit, to make a Report to the Lord Lieutenant, &c. who shall yearly make a Report to the King.

11 & 12 Gul 3. By this Act, Gunners might take on board Wooll-fells, Short-  
Sess. 2. c. 13. lings, &c. for their Use, &c. and Cloth, Serges, &c. to the Value  
Eng. of 40 s. for each Sailor and Passenger, for their Wearing Apparel,  
Post, 40. rep. may be put on board, &c.

3 Geo. 1. c. 21 By this Act, a Moiety of the Forfeitures on said Act of 10 Gul. 3. 33  
Sec. 4. Eng. is given to the King. Vid. ante, 15, 23.

Ibid. Sect. 5. Actions in *Ireland*, relating to the Exportation, of Wooll, shall 34  
Vid. Ships, 30. be tried by a Jury of any other County than where the Fact was  
& ante, 24. committed; and the 3 first Persons who have been aiding (not being Owners) who shall inform, shall be exempt from Punishment.

5 Geo. 1. c. 11. Wooll, Serges, &c. or any Woollen Manufacture, laid near the 35  
Sec. 21. Eng. Sea, or any navigable River or Water, to be conveyed out of *Ire-*  
Ante, 5, 17. land into Foreign Parts, forfeited, and the Offender liable to the Penalties, (10 Gul. 3. ante, 15.)

5 Geo. 2. c. 21. The Admiralty to order 3 Sixth-rate Ships, and 8 armed Sloops, 36  
Eng. to cruize on the Coasts of *Great Britain* and *Ireland*, to seize all  
Ante, 28. Ships, Vessels and Boats, in which any Worsted, Bay or Woollen  
N. B. Raw Yarn, Cloth, Serges, Bays, &c. or any Drapery, or Woollen Ma-  
Wooll not men- nufacture, shall be exported or laden, in order to be exported from  
tion'd. *Ireland* to Foreign Parts; a List of the Sloops, and their Orders, to be sent to the Commissioners.

The Commander of every of them may, in any Port, Creek or 37  
Road, or open Sea within his Station, enter and search all Ships, &c. and if he finds any of the said Goods on Board, he may seize the Ship, and carry her and the Crew and Cargo, to any Port in *Great-Britain* or *Ireland*.

Ships, &c. so seized, her Tackle, &c. and said prohibited Goods 38  
are forfeited, and said Goods to be lodged in the Store till condemned according to Law, and sold by Cant, a 4th to the Commander, a 4th to his Officers, a 4th to the Mariners, and a 4th to the King, who shall bear all Charges of Condemnation; Informers to be indemnified and have a 5th Part, the rest to be divided as aforesaid.

The General Issue may be pleaded, and treble Costs given on this 39  
Act, and none to claim Property of a Seisure of Wooll, till he enter into a Recognizance before the Commissioners of *Ireland*, or Barons of the *Exchequer* in *England*, to answer the Penalties.

All the above Clause in 32 Ante, is hereby repealed from the 40  
29th September, 1732. no former Penalties in relation to Wooll, taken off by this Act.

The

- 41 The Snap-reel for Bay-yarn to contain 1 Yard Three-fourths and 7 Geo. 2. c. 9; one Inch Round, and each Skean of Bay-yarn to be 3 Quarters and half, and no more in Length; each Skean to contain 6 Lays, each Lay 160 Threads, and no more, on pain that the Reel-maker shall forfeit 5 s. the Spinner 2 d. per Skean, and the Seller 3 s. for every 100 Skeans, (and so in Proportion) but the want of 6 Threads only, (not designedly) in each Lay shan't prejudice.
- 42 Complaints of embezzling or detaining Wooll set out to be Spun, to be determined by the Justices of Peace, and they may award Satisfaction if the value of the Wooll exceed not 20 s. or the Satisfaction 10 s. above the Value of the Wooll,
- 43 Comber, &c. inveigling Spinners to change the Yarn or Wooll of other Persons, to forfeit 40 s.
- 44 Forfeitures and Penalties on this Act shall go to the Informer, recoverable before a Justice of Peace, upon Oath or Affirmation, and shall issue a Summons against the Offender and Warrant to levy the Penalty of the Goods of the Offender convict by one or more Witnesses, or not appearing in default of Goods, to be put in Stocks or House of Correction, Prosecution to be within 30 Days after Discovery.
- 45 This Act to be in Force to the 1st of August, 1736. and the End of next Sessions.
- 46 After 1st of August, 1734. no Corps to be buried in any thing 7 Geo. 2. c. 13. that is not made of Sheep or Lambs Wooll, or be put in any Coffin Lined or Faced with any other Materials, on pain of 5 l. to be recovered out of the Assets of the Deceased, from the Executors or Administrators by Civil-Bill, within 9 Months. This Act to be given in charge at Assizes and Sessions, and read in Churches for 7 Years, the Sunday next after the first Day of May, yearly.

*Quer. who does this 5 l. go to?*

Vid. *Actions popular*, 6. *Cloth*, 4. *Customs*, 1, 148. *Drapery*, 2. *Ireland*, 7. *Sheep*, 4, 11. *Ships*, 4, 18, 29, 30, 31. *Taxes*, 3. *Tobacco-pipe Clay*, 2.

**Wooll-fells.** Vid. *Actions popular*, 6. *Sheep*, 4. *Wooll*, 15, 36.

**Wooll-flocks.** Vid. *Wooll*, 15, 36.

**Wooll-ports.** Vid. *Wooll*, 22.

**Words.** Vid. *Actions for words*, *Costs*, 8. *Limitation*, 11.

**Work.** Vid. *Artificers*, 3, 5. &c. *Holy-days*, 2.

**Work-house.** Vid. *Coaches*, 12. *Dublin*, 41. *Fees*, 35. *House of Correction*, 9. *Poor-House*, 12. &c. *Sheriffs*, 35.

**Workmen.** Vid. *Artificers*, 3. &c. *Drapery*, 9. *Rivers*, 69.

**Worsted.** Vid. *Wooll*, 15, 36.

**Worth, Edward.** Vid. *Rivers*, 36. *M.*

**Wreck.**



3 E. 1. c. 4.  
Eng. w. 1.

**W**Here a Man, Cat or Dog escapes alive out of a Ship, the same shall not be adjudged a Wreck, but the Goods to be kept by the Sheriff for a Year and Day, and on proof to be delivered to the Owner, (*Vid. Post, 6.*)

17 E. 2. c. 11.  
Eng. prerogat.  
Reg.

The King shall have Wreck of the Sea, Whales, and great Sturgeons taken in the Sea.

27 E. 3. c. 13.  
Eng.

Goods lost by Piracy or Tempest, and not by Wreck, coming to Land, shall be restored to the Owner.

4 Geo. 1. c. 4.

Sheriffs, Justices of the Peace, Constables, &c. and Officers of the Customs shall on Application made to them by any Commander, Owners, &c. of any Vessel stranded, summon Persons to assist, and the Officers of the Customs or Constables, may demand a Man of War to assist, on pain of 100 l.

Assistants to be paid in 30 Days after, Disputes arising on the *Quantum*, to be adjusted by 2 Justices in the Neighbourhood, named by both Parties.

If no Person appear to claim the Goods so saved, the chief Officer of the Customs is to apply to a Justice of Peace, who is to put him in Possession of them, signing an Account of them, and if perishable to be sold immediately, if not, within 12 Months; the Money to be sent to the *Exchequer for the Owner*. (*N. B. No time limited for the Owner to claim them.*)

Persons entering such Ships in Distress, without leave, or hindering the Goods to be saved or defacing them, shall make double Satisfaction or be sent to the House of Correction for 12 Months.

The Officer of the Vessel, or Customs, or Constable, may repell by force any Person going on Board without leave.

Persons keeping or carrying off Goods stolen from such Vessels, shall pay treble Value after demand made.

To make a hole in a Ship in Distress, or steal her Pumps or willfully do any thing tending to her immediate Loss, is Felony without Clergy, and the like in putting out false Lights to subject her to Danger.

The General Issue pleadable, and full Costs given, Officers of the Customs abusing this Trust, shall pay treble Damages and be disabled, &c.

This Act to be read the Market Day next before *Michaelmas*-Day yearly, within 5 Miles of the Sea, by the chief Magistrate, on pain of 40 s. by Civil-Bill.

A saving for the King, for Flotiam, Jetfam and Lagan, this Act is continued by 3 Geo. 2. c. 5. to 25th March, 1737.

*Vid. Admiral 2. Customs, 79. 113.*

**Wrestling.** *Vid. Hurling.*

**Writing.** *Vid. Assignment, 1.*

**Writs.**

## Wreck.

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**Writs.** Vid. *Abatement*, 1, 2. *Addition*, 1, 2. *Amendment*, 1, 2, 3. *Conspiracy*, 1. *Cui in vita*, 1. *Days in Bank*, 8, 9. *Decies tantum*, *Disceit*. *Entry*, 1. *Ireland*, 2. *Judicial Proceedings*, 1. *Limitation*, 1. *Parliament*, 7. *Partition*, 1, &c. *Privilege*, 1, 2. *Remembrancer*, 1. *Return of Sheriff*, 1. *Seal*, 1.

**Writs of Error.** Vid. *Error*.

**Writs of Enquiry.** Vid. *Replevin*, 2, 3.

**Wynn, Lieutenant General.** Vid. *Poor-house*, 1. *Rivers*, 36. *C*.

**Wynn, Owen.** *Ibid*.

## Yarn.

**N**ONE shall export Thrums, or Woollen Yarn under Colour of Thrums, on pain to forfeit double Value. 8 H. 6. c. 23. Eng.

Vid. *Cloath*, 4. *Customs*, 148. *Felony*, 46. *Grey-Merchants*, 1. *Linen-Manufacture*, 1, 7, 23, 64. *Sheep*, 4. *Ships*, 27. *Wood*, 3. *Wooll*, 41.

**Year and Day.** Vid. *Bail* 4. *Bissextile*, 1. *Forfeiture*, 1. *Murder*, 2. *Marriages*, 7. *Solicitors*, 23.

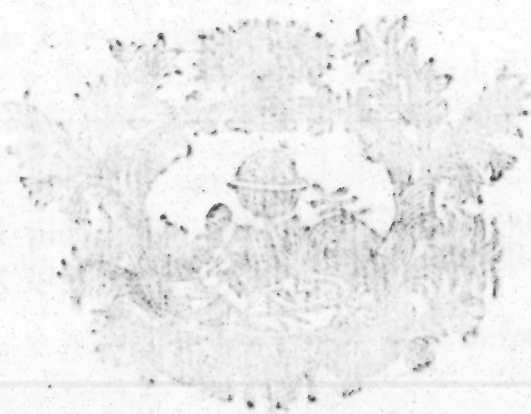
**York.** Vid. *Duke of*.

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• F I N I S .







## AN EXACT

## TABLE

O F

All the *English* and *Irish* STATUTES now in Force and Use in *IRELAND*, on the first Day of *June*, 1734. and which are inserted in the preceding Work; all others here omitted, being either altered, repealed, or expired.

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Charta de Foresta. 9 H. 3.

Cap. 1 Forests

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Y y

Marl-



# A T A B L E.

## English Statutes.

## English Statutes.

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7. Beef, Hide, Fish  
8. Wood  
9. Felony  
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12. Glebes, Schools  
13. Usury  
14. Bankers  
15. Registers  
16. Lights

10 Geo. I.

- Cap. 1. Linen manufacture  
3. Ballast, *Dublin*, Grand-juries, Vagabonds, Watches  
4. Barracks, Glebes  
5. Gold  
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2. Felony, Indemnity, Tories
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4. Felony
5. Parish-Churches, Schools
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7. Indemnity, Oaths
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12. Parliament
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F I N I S.



Yield Statistics

1. Wheat  
2. Barley  
3. Oats  
4. Potatoes  
5. Turnips  
6. Clover  
7. Hay  
8. Straw  
9. Fodder  
10. Fuel  
11. Timber  
12. Other

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